

85TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 20, 1988

PRESIDENT:

The hour of nine having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend Howard Milkman, First Presbyterian Church, Springfield, Illinois. Reverend.

REVEREND HOWARD MILKMAN:

(Prayer given by Reverend Howard Milkman)

PRESIDENT:

Thank you, very much, Reverend. I might ask the members to observe a moment of silent prayer for our friend and colleague, Senator Aldo DeAngelis, who this morning is undergoing a medical procedure. Reading of the Journal. Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that reading and approval of the Journals on Tuesday, May 10th; Wednesday, May 11th; Thursday, May 12th; Tuesday, May 17th; Wednesday, May 18th and Thursday, May 19th, in the year 1988, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Messages from the House, Madam Secretary.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I'm instructed to ask the concurrence of the Senate, to-wit:

House Bills 3003,3184, 3260, 3584, 3917, 4005,

4057...4057...pardon me, 4059, 4068, 4251, 1844, 3132, 3896, 4254, 4255, 4256, 4257. Passed the House May 19, 1988. John F. O'Brien, Clerk of the House.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President...

PRESIDENT:

If you'll turn to page 4 on the Calendar, with leave of the Body, Madam Secretary, we'll move to the Order of House Bills 1st Reading. House bills 1st reading.

SECRETARY:

House Bill 711 offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 1573 offered by Senator Zito.

(Secretary reads title of bill)

House Bill 2525 offered by...Senator Zito.

(Secretary reads title of bill)

House Bill 3010 offered by Senator Hall.

(Secretary reads title of bill)

House Bill 3024 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 3052 offered by Senator Jerome Joyce.

(Secretary reads title of bill)

House Bill 3107 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 3110 offered by Senator Poshard.

(Secretary reads title of bill)

House Bill 3131 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 3273 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 3286 offered by Senator Jerome Joyce.

(Secretary reads title of bill)

House Bill 3345 offered by Senator Macdonald.

(Secretary reads title of bill)

House Bill 3349 offered by Senators Hall and Alexander.

(Secretary reads title of bill)

House Bill 3355 offered by Senator Kelly.

(Secretary reads title of bill)

House Bill 3389 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 3485 offered by Senator Karpziel.

(Secretary reads title of bill)

House Bill 3548 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 3552 offered by Senator Schaffer.

(Secretary reads title of bill)

House Bill 3553 offered by Senator Schaffer.

(Secretary reads title of bill)

House Bill 3612 offered by Senator Poshard.

(Secretary reads title of bill)

House Bill 3652 offered by Senator Kelly.

(Secretary reads title of bill)

House Bill 3662 offered by Senator Newhouse.

(Secretary reads title of bill)

House Bill 3714 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 3718 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 3738 offered by Senator Degnan.

(Secretary reads title of bill)

House Bill 3739 offered by Senator Degnan.

(Secretary reads title of bill)

House Bill 3752 offered by Senator Smith.

(Secretary reads title of bill)

House Bill 3765 offered by Senator Savickas.

(Secretary reads title of bill)

House Bill 3793 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 3799 offered by Senator J. J. Joyce.

(Secretary reads title of bill)

House Bill 3835 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 3857 offered by Senator Schaffer.

(Secretary reads title of bill)

House Bill 3864 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 3880 offered by Senator Smith.

(Secretary reads title of bill)

House Bill 3900 offered by Senator Kustra...Senators  
Kustra and Lechowicz.

(Secretary reads title of bill)

House Bill 3910 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

House Bill 3911 offered by Senator Carroll.

(Secretary reads title of bill)

House Bill 3915 offered by Senators Davidson and Jacobs.

(Secretary reads title of bill)

House Bill 3938 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 3943 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

House Bill 3949 offered by Senator Marovitz.

(Secretary reads title of bill)

House Bill 3951 offered by Senator Davidson.

(Secretary reads title of bill)

House Bill 3969 offered by Senator Woodyard.

(Secretary reads title of bill)

House Bill 3972 offered by Senators Schaffer and  
Barkhausen.

(Secretary reads title of bill)

House Bill 3977 offered by Senator Barkhausen.

(Secretary reads title of bill)

House Bill 3980 offered by Senator Degnan.

(Secretary reads title of bill)

House Bill 4037 offered by Senator Smith.

(Secretary reads title of bill)

House Bill 4091 offered by Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 4156 offered by Senator Barkhausen.

(Secretary reads title of bill)

House Bill 4172 offered by Senator Macdonald.

(Secretary reads title of bill)

House Bill 4179 offered by Senators Alexander and Marovitz.

(Secretary reads title of bill)

House Bill 4180 offered by Senator Demuzio.

(Secretary reads title of bill)

House Bill 4194 offered by Senator Woodyard.

(Secretary reads title of bill)

House Bill 4220 offered by Senator Friedland.

(Secretary reads title of bill)

House Bill 4229 offered by Senator Philip.

(Secretary reads title of bill)

House Bill 741 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 3201 offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 3207 offered by Senator Etheredge.

(Secretary reads title of bill)

House Bill 4174 offered by Senator Madigan.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Resolutions.

SECRETARY:

Senate Resolution 1111 offered by Senator Mahar. It is

SB 1532  
3rd Reading

congratulatory.

PRESIDENT:

Consent Calendar. With leave of the Body, we'll add that to the Consent Calendar this morning. All right, ladies and gentlemen, we'll begin on page 2 on the Calendar. We will address those bills that were subject to recall yesterday, and I would advise the membership it's probably once through the Calendar and we're out of here. Senator Schaffer, Netsch, Welch, Topinka, Karpel...and, Madam Secretary, on the Order of...Senator Schaffer, you're our leadoff hitter. On the Order of Senate Bills 3rd Reading is Senate Bill 1532. Read the bill, please, Madam Secretary.

SECRETARY:

Senate Bill 1532.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is a relatively simple bill. It as amended simply provides a window of opportunity for an area in western Lake County commonly known as the Village of Volo to have a referendum to decide whether they wish to become a municipality. We have passed this bill previously. It has always managed to get weighted down in the House and sunk, and I'm unaware of any opposition locally or around the state to the bill and would appreciate a favorable roll call.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1532 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there

are 52 Ayes, no Nays, none voting Present. Senate Bill 1532 having received the required constitutional majority is declared passed. Senator Netsch, 1562. On the Order of Senate Bills 3rd Reading is Senate Bill 1562. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1562.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 1562, I think it is fair to say, is everyone's favorite bill of the Session. This is the bill that creates an Income Tax Fund into which would be transferred every month a stated percentage of the receipts from the individual and corporate income tax so that the money would be available to pay refunds as they are certified and become due from the Department of Revenue. We believe when this becomes fully effective it will solve two problems; one, the state will not continue to balance its cash flow budget on the backs of the taxpayers. We are currently using money that really does not belong to us and it is absolutely unfair, and I imagine there is not a single member of the Senate who has not heard about that from one or more constituents. The second thing that it will do that is perhaps more important to us institutionally is that it will give us a more accurate picture of how much money we do, in fact, have for expenditure in the general funds. Right now, the entire amount of income tax...receipts is put on the revenue, that is, the plus side of the ledger when we put out revenue estimates and budget books. The difficulty is that in the last few years income tax refunds have amounted to sometimes four hundred and fifty to five hundred million

SB 1615  
3rd Reading

dollars and that means that the...the revenue picture is really not an accurate one, and I think that gives us an inflated idea of how much we have to spend, so we think it will accomplish several important purposes. The...the bill probably still needs a little bit of refinement. There are a few points that have not been fully worked out and they may have to be adjusted over in the House, but it does basically what has been agreed to through extensive meetings between the Bureau of the Budget, the Department of Revenue, the Comptroller's Office, the House sponsors, myself, the Economic and Fiscal Commission, which really initiated all of this with its studies, by the way, and...and many others. It is a...a very good idea whose time, I believe, has come. I would solicit your support for Senate Bill 1562.

PRESIDENT:

Is there any discussion? Any discussion? If not, the question is, shall Senate Bill 1562 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1562 having received the required constitutional majority is declared passed. Ladies and gentlemen, Channel 17, WAND-TV, is up in the gallery requesting permission to videotape with leave of the Body, if there's no objection. Leave is granted. Senator Welch. On the Order of Senate Bills 3rd Reading is Senate Bill 1615. Read the bill, Madam...

SECRETARY:

Senate Bill 1615.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

SB 1622  
3rd Reading

Thank you, Mr. President. What this bill is is basically a census to determine what is out there on site for corporations that would...concern the Environmental Protection Agency. We started out with a bill that would not only inventory but do more. The Environmental Protection Agency said they want to get a handle on how many different sites on site are dumping waste. What we did was...we came up with a census bill. There's a fiscal note filed. The fiscal note came back saying it would not cost the state any money to do this. I really know of no opposition and I would move for passage of this bill.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall Senate Bill 1615 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1615 having received the required constitutional majority is declared passed. 1622. On the Order of Senate Bills 3rd Reading, Senate Bill 1622. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1622.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, this is the tinted windows bill. It would prohibit the use of tinted windows in automobiles on the passenger and driver's side of the car, front of the front seat. I think we discussed it the other day very thoroughly...in terms of the amendment. It is supported by every single law enforce-

ment agency in the state, by safety groups, by many of our constitutional officers and I think we have a pretty good idea of what's going on here. If we do allow for tinting to occur, you know, in the back windows but if so there have to be mandatory side mirrors. We do have an exemption for those who have lupus or albinism, and that's basically the bill. I would appreciate, you know, a positive vote.

PRESIDENT:

Discussion? Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Sponsor indicates she will yield, Senator Dudycz.

SENATOR DUDYCH:

Senator Topinka, is this bill in any way retroactive?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Well, Senator Dudycz, and if I may, I would like to read something in for legislative intent on this issue. It would be my intent that Senate Bill 1622 is prospective in application. The language is clear on that issue. The bill does not ban all tinted windows. It bans the operation of a motor vehicle on any highway with windows tinted in violation of the tint language. The bill reads, and I quote, "No person shall drive a motor vehicle with any sign, post or window application, reflective material, nonreflective material or tinted film upon the front windshield, side wings or side windows immediately adjacent to each side of the driver." That's Section 12-101 of Chapter 95 1/2, makes all the equipment requirements of Chapter 12 apply to vehicles operated on any highway. The operation of a vehicle on the highway within properly tinted windows is the Act being prohibited and that Act must occur after the effective date of the bill.

If a person has tinted their windows prior to the effective date of this bill in a manner inconsistent with this bill, they are not automatically in violation after the effective date. They are only in violation if they choose to drive that vehicle on the highway without conforming the windows to the law. There will be time from when the bill would become law until it is effective to allow persons to conform the windows to the law.

PRESIDENT:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. If that's not retroactive, I don't know what is. This...this is a bill that would require everyone who has tinting on the side windows to the driver or the front to remove it even though they may have made an investment as recently as the day before the bill is signed, and I...I think there's a better way to do this, and the amendment that was defeated here, I think, we'll probably see again and probably see the bill, but for now, I would urge a No vote.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT:

Indicates she'll yield, Senator Davidson.

SENATOR DAVIDSON:

Is the exemption for people suffering from lupus with their physician's certificate included...the exemption for those people as long as they have the certificate signed by the...their attending physician in their possession or in the car with them?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, it is.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

Question of the sponsor, Mr. President.

PRESIDENT:

Indicates she'll yield, Senator Hudson.

SENATOR HUDSON:

Senator Topinka, on the definition of tinting...now I...I have an automobile that happens to have a...what I call, I guess, a partial tinting on the front designed to screen out the...some of the sun's rays up above here. Is that...would you address yourself to...to those types of tinting?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

The...the windshield is not touched by this legislation at all. Currently, the windshield can have a...a tint six inches down from the top and that is the law at present. We do not touch that. So, you have no problem with that.

PRESIDENT:

Senator Hudson.

SENATOR HUDSON:

One other question and that concerns the rear window. Can that be totally tinted under your bill? The rear one.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

If I had my druthers, I would remove tinting completely but I don't think that we could do that and still keep our tinters in business. The answer is, yes, the...the rear window can be tinted, but if that occurs, then there have to be two mandatory outside mirrors which the police associa-

tions have told us will accommodate a police officer coming up on such a car.

PRESIDENT:

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President and to the sponsor. What do we do or is there in this piece of legislation something regarding out-of-state visitors or travelers through the state who may have tinted windows?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Much as in any type of a situation where we regulate automobiles like in child car restraint...seats and things of that sort, we, as a state, do not regulate intrastate traffic, so as a result this...we could not do anything to cars coming from out-of-state.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the time has come for this bill. It's a good bill. We need to protect our police officers too who have to stop cars and can't see what's in them in the front windows and I certainly urge your favorable support.

PRESIDENT:

Further discussion? Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Indicates she will yield, Senator Kustra.

SENATOR KUSTRA:

Senator Topinka, my police organizations have contacted me about the bill and...and there was a specific incident in

the west suburbs that had much to do with the presentation of this bill. Could you explain what happened in this particular setting?

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Yes, good that you should bring that up, Senator Kustra. The situation occurred last year in the Village of Riverside which is roughly around thirteen thousand people and very sleepy, and a police officer there came upon a car that was parked with tinted windows, and even a minimal amount of tinting, unfortunately, is opaque at night and a...could not see inside the car and as he approached, a...a fellow came out of the car and blasted him full, right in the chest with a shotgun. The impact of it was enough to throw him forward onto the hood of the car, leaving him unconscious. The only thing that saved him was his bulletproof vest and I only wish I had the vest here today to show you what his stomach could have looked like and his chest could have looked like had the vest not been there. The police associations constantly complain that this is a very serious problem for them. I don't know that we can continue to send them out there to do their jobs when they have to face this and I hope that this bill would be able to accommodate their need.

PRESIDENT:

Further discussion? Senator Topinka, you wish to close?

SENATOR TOPINKA:

I would just ask for a favorable vote.

PRESIDENT:

Question is, shall Senate Bill 1622 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 10 Nays, 2 voting Present. Senate Bill 1622 having received

the required constitutional majority is declared passed. Bottom of page 2, Senator Karpziel. On the Order of Senate Bills 3rd Reading, Senate Bill 1625. Read the bill, Madam Secretary, please.

SECRETARY:

Senate Bill 1625.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. This is a very simple bill. A few years ago we passed a...legislation which allows counties to establish a transportation impact district. At that time there was a population put...figure put on of a population of over four hundred thousand but less than one million. That population figure then pertains only to Lake and DuPage Counties. What this bill does...it doesn't change anything except the population figure, it lowers it to three hundred thousand. The amendment that made it apply statewide was taken off yesterday, so this bill applies only to the counties between three hundred thousand and one million which takes in only the Lake and DuPage Counties that is presently...presently in the bill and puts in Kane County that requested this bill and Will County, and that's all the bill does and I ask for your Aye vote.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 1625 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1625 having received the required constitutional majority is declared

SB 1634  
3rd Reading  
SB 1669  
3rd Reading

passed. Top of page 3, Senator Vadalabene. On the Order of Senate Bills 3rd Reading is Senate Bill 1634. Read the bill, Madam Secretary, please.

SECRETARY:

Senate Bill 1634.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. Senate Bill 1634 as amended does three things. It...reinstates those drivers...disqualified under part 391 by the Federal Code because of diabetes or lack of vision acuity. Secondly, it gives the Secretary of State the authority to impose a two dollar surcharge on fleet owners for acquiring a computerized system to process application for the fees to be paid under the international registration plan and allows the Bistate Transit Authority to install special lights on the front of its buses to indicate the route and the destination of the service. It...these amendments has the support of the Office of the Secretary of State, the Midwest Truckers' Association, the Illinois Truckers' Association and IDOT and I would appreciate a very...support.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1634 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none...1 voting Present. Senate Bill 1634 having received the required constitutional majority is declared passed. Senator Macdonald. On the Order of Senate Bills 3rd Reading, top of page 3, ladies and gentlemen, is Senate Bill

1669. Read the bill, Madam Secretary, please.

SECRETARY:

Senate Bill 1669.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senate Bill 1669 is being offered today because of an outcry of people not only from my district but across this state, for invasion of their privacy in being required to offer their social security numbers for any and all reasons. I would like to at this time read a letter which expresses very well, from one of my constituents, just exactly the broad and basic problem and...and a letter, I might add, that's very typical...from my constituency, most particularly in the senior citizen community but not restricted, of course, to that community. It says, "Dear Senator Macdonald. I am writing to express my concern over the proliferation of the use of the social security account number, SSN, as an identification number by the private sector. I believe strong legislation is necessary immediately to stem the use of the social security number for purposes other than those for which it was designed. The Social Security Administration has told me that although they discourage the use of SSN by private sector organizations, they cannot prohibit either its use or solicitation. There is federal legislation that requires other governmental bodies requesting SSN to state that that disclosure is voluntary, what the use of the number will be and what the implications are if it is not provided. Insurance companies, retail stores, supermarkets, companies extending credit, physicians and many, many more private sector organizations are asking for the SSN. Usually they want to use it as an identifi-

cation number as the SSN is unique but I have two major problems with this. First, the SSN was designed to be personal identification number for the old-age retirement benefits provided by social security and nothing else. Second, any familiar...anyone familiar with the computers and the access to SSN can infiltrate standard security systems and find out everything there is to know of a personal nature about a person through inquiry using the SSN. Personal finances, income taxes, saving, health records, arrests, insurance policies and much more can be determined by a simple inquiry...referencing the SSN. I do not want persons I do not know having access to this information about me and my family. My SSN is for me and for no one else. While I would prefer federal legislation to prohibit the use of the SSN, other than social security and internal revenue purposes, I can see the appropriate state legislation aimed at companies and...individuals licensed to do business in the state could be nearly as effective." The letter goes on further but I...I wanted to read it because it is such a typical letter. We have devised this bill, 1669, and it is a right-to-privacy bill. It...results of the amendment added yesterday, it's not a perfect bill. This bill will afford no privacy probably to...for protection of anyone in this Chamber today and even children of those here today because Amendment No. 3, as a compromise, grandfathered out the bill's purview all social security numbers in data bases which have been collected prior to its effective date which is 1990...January 1st of 1990. The delayed effective date should give all effective entities time to exhaust their current inventory of forms and design an identification system which is not dependent on information retrievable on social security number. This bill is only a small start, perhaps it should go further, perhaps it should be restricted far more. As a matter of fact, there are those, Senator Berman was one, who objected to taking

government out of this bill at all, but I do realize that there...there has to be a starting point and I think that this bill has done that. It does allow the federal government and...and the state government and even local governments to continue to require social security numbers for their operations. I want to reveal just one personal light on this subject, if I might. For those who say that the social security numbers are not being sold, that they are not being put into a...national data banks and all, I...I...I am very skeptical and I...if it is not being done now, I certainly will tell you that I know that it will be done in the future. My husband and I...purchased stock for a Christmas gift for our two grandchildren. We were required to have their social security number, so my daughter-in-law and daughter had to secure social security numbers for our four- and five-year-old grandchildren. I want you to know that since that time,...both of those children have had a regular stream of mail coming to their homes from various entities who are advertising and who are wanting their business. So, if you think that it could come from anything else other than their new social security number as toddlers, you can think again. Their whole lives will be...followed by their social security numbers and what potentially can happen to them. This is a matter of privacy. I think that we have come to a crossroad in this country where we, as Americans, should be very, very careful about the potential harm that can be done with a national data bank and...and consider all of the ramifications that can go forward. I think it is time for us to seriously look at what's happening...in the State of Illinois we certainly could make this bill become a landmark bill and...and protect the citizens of this state. I...I urge your support of this bill and I'll be happy to answer any questions.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I reluctantly rise in opposition to this bill. I have every respect for the sponsor, but I really think that what she's attempting to do here is probably laudable but would probably result in some terrible problems for our business community. It's interesting that governments are excluded from this bill. As you and I know, when we try to find out anything for our constituents from government, the first thing we have to find out is the social security number. That has increasingly become true in the business community, not because of some devious scheme that's out there but rather because that is a uniform method of identification of individuals. I have a lot of numbers subscribed to me and the only one I really remember is my social security number because that is used over and over. Of course, if you buy stock, the company needs to know your social security number because they have to report that when they pay you dividends. There...there are countless reasons that...that it makes good sense to allow the business community to use social security numbers. I think...one other point I want to make and that is that the...that the date of January 1, 1990 and allowing them to continue to use their present data base until 1990 and a different one after that will simply mean that...everybody has to have two sets of...of identifications going or they'll have to scrap their old numbers and find new numbers. I...I really think we should not pass this bill.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would rise in support of this piece of legislation. I used to work for social security and back then when they issued you a social security card

it said right on it, "not for identification purposes," and the reason for that is is that people can use your social security number for other purposes, and identification is one thing you don't want them to use it for. It seems to me that the social security numbers should only be used to...on your...on your paychecks to determine where your wages are attributed to so that it doesn't become confused, and to start using a universal number not only smacks of big brotherhood, which I think all of us always oppose in this Chamber, but I think it's probably the wrong thing to do; and, as Senator Macdonald said, anything we can do to reduce the amount of junk mail that gets sent out, I think, is probably a good idea.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT:

Indicates she will yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Macdonald, does this bill as it is amended being effective January the 1st, 1990, in any way interfere or prohibit a person who's an employer or the bank, et cetera, who's going to pay interest who by federal law must have your social...security number identify so they can give the W2 Form to you and to the Internal Revenue?

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

If it's required by federal law,...of course, it's exempt from this bill. If the requirement is by the federal government or by the state government or any of their departments or even by local governments, then...then that action is...is exempt.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Well, Ladies and Gentlemen of the Senate, you better take a long look at this bill and there are not many of you have businesses or other establishments in your area that use the social security number whether you like it or not, it is used as a form of identification and you're going to be jeopardizing if this bill prohibits...a bank or someone who's asking for a loan for social security number or whatever way they use, I think you're probably going to deny some of your constituents an opportunity to participate in normal commercial business and...and I think you'd better take a long look at what it is. I...I can sympathize with...with the fact that...that maybe her grandkids have got this, but...my children are now twenty-seven and twenty-eight, when they were one or two or three years old, I forgot which, we had to establish social security number 'cause there was a savings account and the bank had to have it for their W2 Forms, so I don't know who we're kidding with this. I don't think this is a good bill.

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

Thank you,..or Mr. President. Sponsor yield?

PRESIDENT:

Sponsor indicates she'll yield, Senator Jones.

SENATOR JONES:

Senator Macdonald, is the Department of Public Aid in favor of this bill?

PRESIDENT:

Senator Macdonald. Senator Macdonald.

SENATOR MACDONALD:

Senator Jones, we have exempt state government and all of

its departments from...from this bill, so, yes, there is no opposition from the Department of Public Aid.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, you know, from time to time we read about those persons who are drawing welfare benefits across this state who are employed in private...in the private sector at the same time they are...are drawing public aid benefits, and it is through the use of this social security number that they are able to track those persons. So if this bill were to become law, it'd be very difficult to find those persons who cheat on welfare because the employer can no longer request the social security number.

PRESIDENT:

Further discussion? Any further discussion? Senator Macdonald may close.

SENATOR MACDONALD:

Thank you, Mr. President. First of all, I would like to state that the social security system and that number has not been a part of this nation or this country's history. As a matter of fact, this country has historically resisted uniform identification and personal financial history dossiers. This certainly smacks of totalitarian governments that this country does not identify with. For over two hundred and twelve years we have enjoyed a free society as American citizens with guarantees of personal privacy as an integral part of our existence. How sad to see us plunging headlong into an era of computer data based technology and even more sophisticated techniques which without restrictions eventually will surely rob us of our personal freedom and render our private lives as a relic of past history in this great nation. Believe me, the ultimate sacrifice of our most precious freedoms will not come with the roll of drums and the

waving of flags. Our own apathy and blind neglect will silently enslave us and we will have lost the right of privacy which was one of the most fundamental freedoms that our forefathers fought so gallantly to preserve for us and for our children and our children's children. I urge your Yes vote on Senate Bill 1669.

PRESIDENT:

Question is, shall Senate Bill 1669 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 28 Nays, 1 voting Present. Senator Macdonald.

SENATOR MACDONALD:

Postponed consideration, please.

PRESIDENT:

Sponsor has requested that further consideration be postponed. Without objection, so ordered. Senator Degnan. Senator Degnan. Senator Degnan. 1843. On the Order of Senate Bills 3rd Reading, Senate Bill 1843. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1843.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank...thank you, Mr. President. Senate Bill 1843 as amended extends the sunset date for issuance of construction bonds for the Metropolitan Sanitary District from December of '91 to December of '96. These bonds have funded the MSD Capital Improvement Program since '69. The program includes the deep tunnel sewer treatment plants, flood control facili-

ties, sewer systems, pumping stations throughout the service area. The majority of these projects include federal participation, so for every twenty-five cents that the sanitary district funds, we receive seventy-five cents from the federal government. As amended, Senate Bill 1843 addresses some concerns from DuPage County. I'd be happy to answer any questions on...on my part of the bill and would defer to Senator Topinka with respect to the amendment adopted yesterday.

PRESIDENT:

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would stand in support of this bill because it not only accomplishes work that we need in Cook County in terms of the MSD, in terms of flood water management, but also to bring into compliance with what our...intentions were with the Governor's Task Force on flooding...our collar counties as well. The...the intentions of that task force, I think, are reflected in the bill at this point. It is a very good bill and addresses the problem that if we don't take care of, by the year 2000 we're all going to be under water up north, so if we could get some support for this bill, it really would be a good idea.

PRESIDENT:

The question is, shall Senate Bill 1843 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 10 Nays, none voting Present. Senate Bill 1843 having received the required constitutional majority is declared passed. Senator Netsch, middle of page 3. On the Order of Senate Bills 3rd Reading is Senate Bill 1862. Read the bill, Madam Secretary.

SB 1860  
3rd Reading

SECRETARY:

Senate Bill 1862.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

(Machine cutoff)..your pardon, it was on the recall list.

All right, Madam Secretary, 1860, the middle of page 3. On the Order of Senate Bills 3rd Reading, Senate Bill 1860. Read the bill.

SECRETARY:

Senate Bill 1860.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this bill does is increases the amount of money available for the Super Fund to match federal dollars to clean up various sites throughout the State of Illinois. What this will do is phase in a hazardous waste disposal fee over three years on most fees; on some fees, such as deep well injection, it will be an immediate increase. The purpose of this increase is this. When we passed the increase back in 1983 at three-cents per gallon of waste disposed, we raised about 1.8 million dollars a year. Because of the change in technology and the reduction in production of waste, we've gone down from a 1.8 million dollar per year fund to match Super Fund money to a 1.2 million dollar fund. As time has gone by, the state is now ready to clean up some seventeen to nineteen sites in the next year, if we have the money available. These are sites throughout the State of Illinois, in almost everyone's community you have one, including two sites in the Lake Calumet area, and what we are going to do is try to raise money, put

it in the Super Fund basically for remediation of these sites and emergency response and a little bit of money for ground water protection. I would be glad to try to answer any questions if anybody has them. I would like to point out that we do...we did have two objections in committee, one was from the Municipal League. We took care of their problem. They are now copacetic. The other objection came from the Manufacturers' Association. We have worked with them and their problem is now resolved. So, I would be glad to answer any questions.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Question of the sponsor, Mr. President.

PRESIDENT:

Indicates he'll yield, Senator Weaver.

SENATOR WEAVER:

Senator Welch, what's the percentage increase over this three-year period?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

In the first year, the fee will go from three-cents per gallon to six-cents per gallon; in the second year to 7.5 cents per gallon and in the third year to nine-cents per gallon of hazardous waste disposed of. On deep well injection fees, the smallest deep wells pay two thousand dollars, they will go to six thousand dollars; the medium-size wells go from five thousand dollars to fifteen thousand dollars and the largest wells that are injecting hundreds of thousands of gallons of waste...millions of gallons goes from nine thousand dollars to twenty-seven thousand dollars.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Well, to the amendment, really. I recognize the need for some increase but this seems like a drastic increase over a very short period of time. This certainly has concerned the industry. They're willing to make some increases but this is a very drastic increase over a very short period of time. I'm just wondering whether it could be moderated some in...in the House and extend the period of increase over a longer period of time.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Yes, a point of clarification. I would just like to say to the members on our side of the aisle that their analysis is...is incorrect...it should reflect that there is a three-year phase-in period and my understanding is that that has met the objections of...of the business community, so...I...I just add that in passing.

PRESIDENT:

Further discussion? Further discussion? Senator Welch, you wish to close?

SENATOR WELCH:

Yes. To the point about the tripling of the fees being drastic. Senator, when we did this in 1983, we tripled the fees from one-cent to three-cent, so what we're doing is trying to triple them again, only this time we're doing it over three years as opposed to a one-year immediate tripling of the fee. This is money we need. It's going to go throughout the entire State of Illinois and it's going to be money that's matched on a ninety percent to ten percent state money basis. So, this is a bill that will generate more money for the State of Illinois. It's supported by the department and I would urge an Aye vote.

SB 1862  
2nd Reading

PRESIDENT:

Question is, shall Senate Bill 1860 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 14 Nays, 3 voting Present. Senate Bill 1860 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1862. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1862.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 1862 is the bill known as sales tax reform. It is a major piece of legislation. I suspect most of you have a pretty good idea of what it...what is in it right now. Let me just make a couple of points about why it was done, because we may have lost sight of that with all of the concern about the scope of pre-emption and about the financial impact on particular cities. First of all, this is a proposal that came out of the Governor's Revenue Review Committee. It was widely supported, not...perhaps not unanimously but widely supported by a wide diversity of people who sat on that committee; and it reflected what we came to realize, which is that the State of Illinois has with the possible exception of Louisiana probably the worst sales tax structure in the entire country, and we hear that from everyone who has anything to do with it, and, of course, very much from businesses who have to do business in not only different parts of Illinois but

in...across state lines. It is a nightmare and very...in some ways probably not enforced as well as it ought to be because of that, with a variety of rates and a great disparity in base from one part of the state to the other. So, the fundamental purpose of the bill is to try to get the thing that we call the general sales tax as uniform as possible with respect to both base and rate. Absolute uniformity is not possible, we recognize that, and the bill accommodates that but we want it as cleaned up as humanly possible. That is going to make it easier for businesses to do business in Illinois, it's going to make it, I think, easier on the cities because they are not going to be, in effect, eating off of one another by playing with their sales tax base and rate. So that is our fundamental purpose. I think it also sets the stage for a couple of developments which I realize seem perhaps pie in the sky at the moment, and that is that someday I think all of us would like to have some reduction in the sales tax rate in this state. It may not be possible for a long time. It may be someday. It will not happen unless we've got this thing cleared up. There is another development taking place at the national level known as national Bellas Hess legislation which we now think my well pass Congress this year or next, and if we have this bill in place, it's going to allow the State of Illinois to collect more sales tax money on mail-order catalog sales and a good part of that is going to be distributed back to the cities also. So, there are a lot of benefits to this bill. It levels the playing field. It does provide more money for cities and counties. Even with the waste water amendment, which I vigorously resisted, there will be some more money for cities either through that device or directly through the portion of the use tax that is not siphoned off by the waste water amendment. The only cities that might be hurt a little bit are those with food and medicine in their sales tax base,

and we have given them a period of time to attempt to find, and I think they all can, some way to accommodate that. The preemption language is perhaps a little more preemptive than I personally would have liked but it allows the cities to continue with all of their existing taxes in place. It does not touch taxes like amusement tax, hotel and motel, real estate transfer and so forth, so that, I think, overall this is a very good thing for the State of Illinois and it is a very good thing for the cities of Illinois and, in the long-run, it's going to be a very good thing for the people of this state.

PRESIDENT:

Discussion? Senator Rigney.

SENATOR RIGNEY:

I, too, join in support of this legislation and very briefly I'd point out to you that I think we've brought a certain amount of order out of confusion in our sales tax base. We have succeeded here in standardizing that base throughout the State of Illinois. We have not been rigid in our approach, we are allowing out home rule units to keep most of the taxes that they have except, as Senator Netsch pointed out, the sales tax on food. I think one thing that we can be proud of and that is that we have now taken away the advantage of out-of-state purchases. I don't know how in good conscience we can keep an advantage in our taxing system for those people who purchase out of state, and I think this is a major accomplishment of this particular bill. And, finally, I'd point out to you that we have also in that process created a new source of local funding. Keep in mind that no matter whether you give the money directly back on a per capita basis or whether you use some if it for waste water treatment, every single dime of that new use tax is going to go back to our friends at the local level, and I think we can be proud of that. I think it's a good piece of legislation

and I hope those on this side of the aisle will join in support and...and put a lot of Aye votes on that board.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Yesterday there was a tremendous amount of debate on Amendment No. 12 which caused me a lot of consternation on this bill. I'm going to vote for the bill and I stand in support of it but I still have a lot of problems, one of them still being in the waste water and I have asked the sponsor of the amendment, Vince Demuzio, if he would sunset those dollars going for the waste water treatment so that once those bonds are paid for that that money then will revert back on a per capita basis. I have a problem if that is not done in voting for this legislation because, as an example, in my district alone we're talking about a three hundred and fifty thousand dollar loss now and forever. I have no qualms in...in voting for this legislation if it allows those communities once those bonds are paid to recoup that money back, and if the sponsor of that amendment will give me that commitment, I will be very happy to support this legislation.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, will the sponsor yield to a question?

PRESIDENT:

Sponsor indicates she will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Are there any new taxes encountered by this bill?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

I think the accurate answer is no. Let me just qualify

it to this extent. The...there are a few communities in the State of Illinois that did not fully tax up to the one percent MROT that they were authorized. They represent, if I recall correctly, less than...around six or eight percent of the population of the state or less than that. Those communities would be...increased effectively up to one percent because it would be a six and a quarter statewide tax. There will be use tax money collected but that is not an increase in any tax, that is simply collecting another one and a quarter percent on purchases that are made out of state and...and currently pay the state five percent use tax. So, that there really is no new tax except perhaps for those few communities that were not fully taxing their...their MROT.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I have a conflict of interest because I'm also a mayor as well as a State Senator; however, I will vote my conscience. I'm not too...I'm not too happy with the entire bill but I think we need to have some sales tax reform. I think that it...it is in the right direction and I will support it to get it out of here, go to the House and, hopefully, can be compromised to be even more meaningful than it is, so I will support the bill.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Sponsor yield to a question, please?

PRESIDENT:

Sponsor indicates she will yield, Senator Newhouse.

SENATOR NEWHOUSE:

Senator, there were a number of amendments to the bill, I

believe there about seven of those. Is that correct? And those were all cleared with the city. Is that correct?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Yesterday, I...I talked directly to the city spokesman on legislation and all of the amendments which I put on the bill yesterday, and by the way, that included the one of...of Senator Luft's on...on auto tax, all of those amendments the city signed off on. The waste water amendment, which was not my amendment, was not part of that discussion because it was not on the bill and I was not offering it, but everything up to that point which...which went on the bill at my behest, the city signed off on.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you. Thank you, Senator. In that case, I would certainly heartily recommend that the boards be lighted up with green lights on this bill. And I'd like to congratulate you on taking a very sticky subject matter and trying to reconcile all interests, and by virtue of that position and by virtue of the work that you've done, I would heartily recommend that green lights on this bill outnumber those of otherwise. Thank you.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. First of all, I would like to thank the sponsor of this bill for including two provisions that will have a...a profound effect on the bill as it affects Rockford. I am not at all happy with the amendment for waste water treatment that we placed on the bill yesterday because of the severe loss of revenue that it will

mean back in my own district. I guess the thing that disturbs me the most about that is once again we're establishing precedent for the state, really dipping into what was promised to the cities and county and taking money that they were expecting to get; however, we in Rockford and Winnebago County will still continue to get some increase in revenue with the bill even as it is, and it is my hope that as this bill moves through the Legislature that we might be able to reach further compromise, and for that reason, I...I will support the bill.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, I...I rise in strong support of the bill. Obviously, unlike the previous speaker, I think the waste water amendment becomes an integral and important part of the bill, something that will benefit at one point in time or the other virtually every citizen of this state; but that subject aside, the bill still should go forward. I would like to commend Senator Netsch and Senator Rigney and the other people who have worked on this process, I believe, for a couple of years. I happen to have a border district and some of the chains that...store chains that operate in my area operate in two or three different states, and in talking to them, they tell me they just...the one thing they really loathe about Illinois is our sales tax system. Over the years it has grown and grown and grown piece by piece without any coordination. It is truly a nightmare, not only for the taxpayers but for those people that have to administer the program, the retail merchants and others, but also for our own Department of Revenue; and this bill may, in fact, be one of the significant things that the 1988 Session of the General Assembly is remembered for, either our ability to work it out and pass it or our inabil-

ity. I hope it's...they will be remembered for our ability to clean up this mess, not for our inability to. I urge every one of us to support it.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Will the sponsor yield for a few questions?

PRESIDENT:

Indicates she will yield, Senator Brookins.

SENATOR BROOKINS:

Senator Netsch, as you know, in Chicago we have the sales tax and when we purchase automobiles in other portions of the city such as the suburbs, Kankakee or wherever, how will that tax be handled and...and...

PRESIDENT:

Senator...

SENATOR BROOKINS:

...and also in some cities, the...the sales tax is lower than that in Chicago, sales tax that is; Kankakee, for instance, for one, I think, it's only six percent, in Chicago it's eight percent.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

There will be...well, no change in the structure of the law of use tax as it applies to Chicago. Chicago is one of the few cities that manages to really collect some use tax on automobiles. The...the amendment that was put on, I've forgotten now what its number was, that Senator Luft was the principal sponsor of, basically,...built our structure, that is, Chicago's structure, into the Statute with respect to all communities. So, Chicago...if someone lives in Chicago, goes outside of Chicago to buy an automobile, comes back in and

registers from...registers it from Chicago...or from a Chicago address, there will be a use tax at Chicago's rate on that purchase and...and now, the state will be collecting it.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Thank you. On the amendment which was placed on by Senator Demuzio, I think it is, would you give us a clear explanation of that amendment and does that take income from the City of Chicago?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well, it was not my amendment and I vigorously resisted it, so I suppose Senator Demuzio is the correct person to...to answer that question.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, very much. We do not touch the city's money at all in that amendment...amendment that Senator Schaffer and I put on. We do not touch the Regional Transit Authority's money at all. As a matter of fact, I was just handed a note that the Metropolitan Sanitary District is now in favor of 1862 as it currently stands. So, the city...does...does not...is not affected at all with...respect to the revenue that they're going to get, before or after the amendment.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Thank you. One more question. The City of Chicago has a enormous revenue department and it goes through the form of collecting all these taxes and with automobile tax and others

they have, you know, hit and miss and a floppy situation. Have we any reports or any knowledge of how much that may save the City of Chicago if it is handled by the state?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

The answer...the direct answer is, no, we don't have a figure on that. Let me add one further comment. While I don't have the exact figures in front of me at the moment, during the course of the deliberations of the Revenue Review Commission, we had figures that showed how much Chicago got from its home rule sales tax...one percent sales tax and how much was collected by the state from a one percent sales tax. Now, food and medicine is in the state base, not in the Chicago base, but taking that into account, there was a disparity and it looked as if the state was able to collect more from the same base than the city was able to do; and as we know, the city had a great deal of difficulty in collecting its home rule tax in the beginning and...although that has gotten better, I think. My own judgment, and this is just my judgment, is that the city will realize more from its home rule tax by having it collected as part of the state tax and it will save the administrative costs itself. I do not have a figure on those administrative costs.

PRESIDENT:

Further discussion? Senator Severns.

END OF REEL

REEL #2

SENATOR SEVERNS:

Thank you, Mr. President. As a former city council member of a home rule city, I rise in support of this bill. While I would actively resist any serious attempts to preempt home rule, I believe that the sponsor of this bill has effectively worked with my mayor and city manager and other city leaders across this state to make this bill a good bill. I believe that the sponsor has adequately addressed the amendments added to this bill, the concerns raised by leaders of home rule communities. I believe the waste water amendment added to this bill yesterday is not a perfect solution but it is a solution when no other solutions were forthcoming. I believe that this bill achieves what the sponsor hoped to achieve in bringing about uniformity in our sales tax issues across this state, and as a former city council member of a home rule community, I believe it's a bill that all home rule communities can support. I rise in support of this bill and hope that it receives a favorable vote.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I, too, join other members of this Body in rising in support of this important bill. Not only does it streamline the sales tax needs of this state, it will assist our business community, but one of the greatest areas of needs that we have in the state is local government assistance and I believe this gives our local governments more money to have the flexibility of responding to critical needs through increased revenues. Whether they're dealing with health care services in the form of ambulances or jails

or meeting EPA standards, increasing mandates, whatever the local need might be, local governments have been strapped in the...in the past in having enough revenues to meet these needs, and I believe streamlining the sales tax through this uniformity will help our local governments achieve these needs. So, this bill can only help and I would encourage...advocate everyone voting for it.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I...I, too, don't want to go over the ground that's been covered already this morning, but Senator Jacobs made reference to the perpetual need for this money to go into the fund for the sewer and...for the sewer projects. I want to point out on page 4, with respect to a sunset it...it says, "From Fiscal Year 1993 through Fiscal Year 2011 that the transfer will take place." It was...does not refer at all to the transfer after the year 2011 when the bonds would be completely paid off. So, I...I really don't have any strong feelings one way or the other about the perpetual need of this particular program, although we do have plenty of time in which to...to discuss that issue between now and then, and I want to reiterate again that the amendment that was put on, Amendment No. 12, does several things, and I think the two good things that it does, it...us the debt service that we need for the bond program for the revolving loan program for all of the communities in Illinois and it also provides us with the money that we need for debt service to issue seventy million dollars in bonds to...to...I'm sorry, three hundred million dollars in bonds to take care of those two hundred and thirty-six communities with a seventy percent grant across the State of Illinois. I think it's good public policy and I would urge an Aye vote.

PRESIDENT:

Further discussion? Further discussion? Senator Netsch, you wish to close?

SENATOR NETSCH:

Very briefly, thank you. Senate Bill 1862 is good tax policy. It's good business policy. It's good municipal policy and I think it's good taxpayer policy. I urge an Aye vote.

PRESIDENT:

Question is, shall Senate Bill 1862 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 10 Nays, 1 voting Present. Senate Bill 1862 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1875. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1875.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. This bill as originally introduced sets a minimum penalty on those utilities that fail to pay or underpay their estimated quarterly public utility tax. The penalties really are so low they are virtually no incentive for payment, so in committee the bill was amended so that this penalty would not accrue at a monthly basis but rather a daily basis. Yesterday, Senator Topinka...Topinka also added an amendment which deals with the fire at the switching station...Illinois Bell switching station in Hinsdale and it would ask that the ICC study this issue to determine whether adequate fire protection

and...emergency notification systems that this system and other systems around the state are...are adequate. I know of no opposition to any part of this bill and would ask for your favorable support.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall Senate Bill 1875 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. Senate Bill 1875 having received the required constitutional majority is declared passed. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Thank you, Mr. President. On a previous bill, Senate Bill 1843, I inadvertently pushed my Yes button and I would like to be recorded as No.

PRESIDENT:

The record will so reflect. 1965, Senator Luft. On the Order of Senate Bills 3rd Reading is Senate Bill 1965. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1965.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 1965, the subject matter is the Property Tax Protest Fund. It was authored by the Taxpayers' Federation. It deals with the Property Tax Protest Fund that is now inadequately funded in most counties. Unfortunately there has not been an agreement between the County Treasurers' Association and the Taxpayers' Federa-

*SB 1987  
3rd Reading*

tion, they are working on it. We think this is a very serious matter. There are taxpayers who...cannot get paid when the court...or the Property Tax Appeals Board satisfies their protest in their favor. We'd like to move this on to the House for further negotiations. And I would ask for a favorable roll call.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall Senate Bill 1965 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. Senate Bill 1965 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1987. Read the bill, Madam Secretary, please.

SECRETARY:

Senate Bill 1987.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1987 expands the definition of home invasion to include intruders who enter an empty resident and remain there until he knows residents return. As amended yesterday at the request of the state appellate defender, there is an affirmative defense in the bill. I'd be happy to answer questions.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall Senate Bill 1987 pass. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the

*AB2002  
3rd Reading*

record. On that question, there are 57 Ayes, no Nays, none voting Present. Senate Bill 1987 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading is Senate Bill 1990. Read the bill.

SECRETARY:

Senate Bill 1990.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1990 amends the...Unified Code of Corrections regarding consecutive sentencing. Persons charged with a felony and held in pretrial detention shall be sentenced to consecutive terms of imprisonment for any subsequent separate felony committed while in...pretrial detention. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Discussion? If not, the question is, shall Senate Bill 1990 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 1990 having received the required constitutional majority is declared passed. 2002, Senator Netsch. On the Order of Senate Bills 3rd Reading is Senate Bill 2002, Madam Secretary.

SECRETARY:

Senate Bill 2002.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senate Bill 2002 is a bill that deals with public contracts and particularly interference with public contracts. What some of the prosecutors have determined is that the existing law really is not adequate to deal with some of the more sophisticated practices that unfortunately plague public contracting at times; bid rotating, bid rigging and practices of that sort. And so this bill is an attempt to define specific practices that should be illegal and are very difficult to prove under existing law. A number of suggestions were made at the time of the hearing which were incorporated in the amendment that now is the bill, many of them having to do with the intent factor which Senator Hawkinson had called attention to. The bill has also been reviewed by the association of...of...the Illinois Association of Procurement Officers. One amendment was put on at their request and with that amendment the bill also has their support. I think it is extremely important in giving to state's attorneys around the state the tools that they need to deal with really...what should be illegal practices with respect to public contracts. And I think it's an important bill in terms of protecting both the public and the public institutions. It was...the bill did come from the State's Attorney's Office of Cook County who's been very helpful obviously in working out the amendments. I would be happy to answer questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Berman.

SENATOR BERMAN:

Would you please give me the name of that organization that has endorsed this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

...Illinois...this is what I wrote down in talking to...their president, the Illinois Association of Procurement Officers. I may have the wrong title but I think that is it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall Senate Bill 2002 pass. Oh, I beg your pardon. Senator Collins. Senator Collins, all you have to do is turn your light on. Senator Collins.

SENATOR COLLINS:

Senator Netsch...question of the sponsor. On bid rigging, are these just procurement contracts?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Well,...it's not defined in terms of "procurement contracts," no, I'm looking for the..."a person commits the offense of bid rigging when he knowingly agrees with another competitor concerning any bid submitted or not submitted by such person to another unit of state government with the intent." So, it's...the word "bid" is really the...the critical word. It doesn't refer to procurement as such.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

So...so that, for the record, if...let's...we going to use an example through the Department of Transportation. If the prime contractors attempted to...I want you to listen to this...if the prime contractors attempted to rig the bidding

of the subcontracts...subcontractors are...let me give you a case in point. There was a prime contractor who went out to meet the set-aside goal requirement with disadvantaged minority contractors as subs and they solicit the bids by going around telling each of the...the prime...the subcontractors that they had gotten a better...better bid...a lower bid from someone else, and if they wanted to get the jobs, then they had to reduce their...lower their bids. Would that be a violation under your bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I'm not sure I followed that, but if I did, I'm not sure that that would be picked up by it because I don't think anyone actually was...I mean, I suppose people can go talk to other people all they want, it's when...when it gets into the submission of bid process and...you have direct contact with the public agency that you can reach it. You can't send somebody to jail for talking to someone if it does not show up in the public process itself, and if I understood your example, that did not happen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

It does show up in the public process because once the prime contractor receives the low bid through the Department of Transportation, they are given seven days to go out and bring in...and meet their goal requirements and bring in the minority contractors for the set-aside program. Now I am told under the set-aside program that the subcontractors are prohibited from competitive bidding. That...what happens that there is bid shopping from the prime contractors who goes out and says...and quotes the prices to the subs and says, someone else offered me a lower...lower price than this

*SB 2010  
3rd Reading*

and if you want the contract, this is what you have to bid for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Well, again, I'm not sure that what you are describing is covered, because you...and again, let me just read a couple words from the bid rigging thing and...and I think that may answer your question. "A person commits the offense of bid rigging when he knowingly agrees with any person," who would be a competitor otherwise, "concerning any bid submitted or not submitted by such person to a unit of government with the intent that the bid submitted will or will not result in the award of a contract." Now, again, if I heard your...your example and followed it, I'm not positive that it would be picked up by...by this language. You know, you can go only so far.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Question is, shall Senate Bill 2002 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 2002 having received the required constitutional majority is declared passed. 2010, Senator Geo-Karis. Senator Geo-Karis...Senate bills 3rd reading, Senate Bill 2010, Madam Secretary. Read the bill.

SECRETARY:

Senate Bill 2010.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this bill allows the EPA to create a lien on property cleaned up by it and for the cost of cleanup. It exempts residential property, the lien is superior but not to residential mortgages. I urge a favorable consideration. We need a bill of this nature.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall Senate Bill 2010 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 1, 19 voting Present. Senate Bill 2010 having received the required constitutional majority is declared passed. Page 4. 2052, Senator Jones. Senate bills 3rd reading, Senate Bill 2052, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 2052.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President, members of the Senate. Senate Bill 2052 changes the definition of life insurance and provides that an accelerated payment for benefits may be in order to a...for indemnification for long-term care that is already certified by a physician. This is a policy worked out between the industry and the...and the Department of Insurance. I know of no opposition. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

*Salas  
and  
Secretary*

Well, just briefly, Mr. President. I think this is...this is perhaps a significant bill in that it will enable life insurance companies to begin offering...benefits for long-term care provisions. It's kind of a new development in the insurance business and I...I think it's a good idea and I stand in strong support of what we're doing here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator,...was that...was that a question? I'm sorry, Senator Schuneman. All right. The question is, shall...oh, I'm sorry, Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Jones, does this bill in any way jeopardize or...or infringe on the jurisdiction of the long-term care insurance package which came out of the committee you and I were both on which we sent out of here a week...a week or so ago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

No, it does not,...but...understand. No, it does not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall Senate Bill 2052 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2052 having received the required...constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 2123, Madam Secretary. Read the bill.

SECRETARY:

(Machine cutoff)...Bill 2123.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 2123 is the Secretary of State's securities bill. It updates and revises a number of sections in the Illinois Securities Act. It adds definitions, provides additional registration exemptions for certain sophisticated investors, it revises reporting, filing and filing requirements; it provides additional exemptions for certain types of securities and it adds enforcement powers and does a number of other things. I'd be happy to try to answer any questions and would otherwise ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

This bill exempts from registration securities sold to specified investors including financial institutions. Why...why does it do that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...I'm sorry, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator, I'm not sure I can comment very knowledgeably on all of the exemptions. There is already under the Illinois Securities Act sections dealing both with...with investors who are not required to be provided information on a...on an offering or issuance of securities because...because they are

deemed to be "sophisticated investors" either because they are a certain kind of financial institution or in the case of individuals because they have a...an annual income or a net worth above a certain amount. But I'm afraid I can't comment very knowledgeably about the specific question you asked, and I'm...I'm not sure what the nature of the financial institution in question is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, you're also removing the statutory fees that are assessed. What was the amount of the statutory fees that you are...are now removing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Barkhausen. I...I think she just discovered...I think she just discovered she had 19 Presents on the last bill. Senator Barkhausen.

SENATOR BARKHAUSEN:

As I'm thumbing through my rather detailed analysis, and based on what I have been told about the bill, Senator, I...I don't think...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR BARKHAUSEN:

I know the...the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

...the Secretary of State is empowered to set reasonable fees and I think it's because these fees are...are adjusted frequently and the Secretary of State wants discretion to revise them, I think in...in most cases upwards and not downwards. Rather than having a...a fee amount set in the Statute, they are looking for the added flexibility to make

these upward adjustments rather than having to come to us to ask for us to...to raise them every so often by Statute. I think that's the correct answer to your question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I'll keep in touch with you when the bill gets...gets out of here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 2123 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. Senate Bill 2123 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 2127, Madam Secretary.

SECRETARY:

Senate Bill 2127.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 2127 makes certain additions to the law that we passed last year that imposes a tax on illegal drugs. The first thing that it does is to provide provisions for the Department of Revenue to obtain a lien against assets out of which...and a tax obligation might be satisfied. The provisions are similar to...to the provisions that are already on the books for other taxes, the income tax, the sales tax and other taxes, which Department of Revenue is required to enforce. In addition, a distribution scheme is provided for the revenues that might be

obtained from...from this tax and it provides that a certain portion go to the Department of Alcoholism and Substance Abuse, a certain portion to the law enforcement agencies making an arrest and to prosecutors both county state's attorneys and also the Attorney General's Office responsible for prosecuting these cases. Be happy to answer any questions and would otherwise ask for passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall Senate Bill 2127 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 2127 having received the required constitutional majority is declared passed. 2120...2141, Senator Jones. 3rd bill. Senate bills 3rd reading is Senate Bill 2141, Madam Secretary.

SECRETARY:

Senate Bill 2141.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Thank you,...thank you, Mr. President and members of the Senate. Senate Bill 2141 as amended extends the reporting date for the Technical Task Force on Community Mental Health Services. This was the Topinka amendment, this is all that the bill does. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall Senate Bill 2141 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On

that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 2141 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 2154, Madam Secretary.

SECRETARY:

Senate Bill 2154.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, Senate Bill 2154 deals with the corporate franchise tax provisions of the Business Corporation Act. It clarifies and...and seeks to improve the refund process for franchise taxes allowing businesses which have overpaid to seek a refund or those who have overestimated their obligations which...which have been assessed but not yet paid to petition for a reassessment of those amounts. The bill in...in at least one respect will probably need to undergo some further study and possible revision as it moves over to the House. I'd be happy to answer any questions and otherwise ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? The question is, shall Senate Bill 2154 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. Senate Bill 2154 having received the required constitutional majority is declared passed. Senate bills 3rd reading is Senate Bill 2201, Madam Secretary.

SECRETARY:

Senate Bill 2201.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Thank...thank you, Mr. President and members of the Senate. Senate Bill 2201 represents several weeks of hard work by...by a lot of people, and I described, I think, very thoroughly yesterday, the amendment. I would only say to you that I...if this bill passes over to the House, it's my understanding that there's some more room for some debate on...on a couple of issues but I believe everybody has been pretty much involved in discussion. I would be happy to respond to any questions you might have. Otherwise, I would ask of you your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I really want to compliment Senator Maitland...Maitland for the amendment that you put in on it because it resolved many of the concerns of the committee and it removed the controversial provisions of the committee amendment. And it also...this amendment will reinstate major sections of section...of Senate Bill 1935 which became Public Act when...Marovitz had it. And I want to thank you, and I stand in support of this legislation and I hope and pray that we'll all vote a positive answer for the passage of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Question is, shall Senate Bill 2201 pass. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting

Present. Senate Bill 2201 having received the required constitutional majority is declared passed. Senate Bill 2261, Senator Kustra. On the Order of Senate Bills 3rd Reading is Senate Bill 2261, Madam Secretary.

SECRETARY:

Senate Bill 2261.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is the Chicago school reform bill. Before I explain it, I would like to preface my remarks by saying that I had prepared an amendment to address some of the concerns which were raised yesterday by Senators Rock and Carroll. This morning when we took that amendment to the Floor, we understood that there was not a willingness on the part of the other side of the aisle to return that to 2nd reading for purposes of adding it to the bill. So, I have made my commitments, I think. There is two or three provisions in there which we, too, would like to see changed. I've already discussed this with members over in the House. I will do everything I can to make those changes, but as long as I can't call it back, I'm going to move this bill forward now for a final vote at this time. Let me just say that this is the only bill we will be considering...according to the rules which we have established in this Senate, the only bill we're going to be considering today on the subject of school reform. It comes months and months and months after deliberation by all parties effected from the City of Chicago, elsewhere around the state. I don't know what...how much more time you could possibly need to put together some kind of a bill. This is it, it is a hybrid, as I said yesterday. It's going to be a

final vote, there's going to be no postponed considerations, just one vote to decide on whether you want to return the Chicago schools to the people who use them and whose futures depend on them. I must read you a quote that sums up the problem and I think the reason why this bill comes before you today. It's one of these newspaper articles I was referring to yesterday. It reads, and this is from a team of reporters who went into the Chicago schools. It says, "Instead of working to nurture productive citizens the guardians of the system," that is, the Chicago school system, "divert themselves with a game of politics risking the futures of hundreds of thousands of children. They get away with it because these are the children of the poor and the powerless, parents isolated from the economic and political clout they need to make the system work for them. They have programmed the system so that it responds to their needs but betrays generations of children in the process." What this bill does today is break up that Chicago school system to give the power back to those poor and those powerless and those parents and those taxpayers of the Chicago school system. It breaks the system up into twenty districts, school boards not unlike the school boards which operate in over nine hundred jurisdictions across this state, the way it's done downstate, the way it's done in the collar counties and the way it's done in the suburban areas of Chicago, twenty manageable, accountable and effective school districts. I don't really want to belabor the points I made yesterday, I have them all here but you know that it gives elected members of those district boards the right to go out there and hire and fire their teachers and other educational personnel, you know that at the local level it...gives parents through the local improvement councils the power to actually veto by a three-fifths vote the selection of a principal. Everybody agrees the principal is the key; if the principal can't have the

power to make that school work, nothing is going to happen. We've done that in this bill. We've created an oversight authority, Chicago School's Authority, and it has to pass on the budget by a three-fifths vote. All the way down the line we have tried to incorporate into this bill the suggestions, the proposals that have come to us from the City of Chicago. Now, I'd like to make one final comment and then I'll answer questions. Many on this Floor have discussed, as has the Governor of this State, whether or not there should be revenue enhancement, whether or not we need money to pay for programs that at this time we simply can't afford existing programs. A good number of us on this Floor have made it very clear to our constituents that before there can be any discussions, ...before there can be any discussions of any kind of revenue enhancement or new dollars, there must be reform of Chicago schools. I've even gone farther, I've said, hey, forget new revenues; before we can even pass on existing revenues and allocation of existing revenues, we must make sure that a school budget, which is one-half provided for by the General Revenue Fund, is effectively spent. It seems to me that for those of you on this Floor interested in the problems of this state as they are in crisis right now, it is imperative that a bill like this move along its natural process. It's not going to be the final game in town, this is the first step, there are other bills out there. We know that it's another six weeks or more before the end of this Session, but how many months does it take for us finally to put something in a form that answers the concerns of the people of Chicago and moves it along? I'll be more than happy to answer any questions you may have about this legislation.

PRESIDENT:

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I did not rise yesterday on 2nd reading when the amendment was proposed because I believe that Senator Kustra has put a lot of work in and certainly has the right to present his bill. But today, I stand in opposition to Senate Bill 2261. Let me tell you a couple of reasons. First of all, the opening statement of Senator Kustra is that today is the day to vote on this bill, but today is not the day, ladies and gentlemen, to decide the method of reform for Chicago's public schools. It's not even the final day for us in the Senate to decide the form of Chicago reform. We extended Senate Bill 1839 yesterday for two weeks and then we have until June 2nd to look at Senate Bill 1839 and, in effect, we have until June 30th to take a look at several bills that are going to be coming over from the House. So today is not the final day, and, in fact, today should not be the final day. Let me tuck-point out a couple of reasons why I suggest that you should not vote for this bill. Everyone in this Chamber and across the hall recognize that the bureaucracy at Chicago public schools is bloated. Probably the only people that might disagree with that are the people on...at the bureaucracy on Pershing Road. This bill purports to cut that bureaucracy. It says that the level of jobs at the central office shall be reduced from fifty-eight...from the present levels down to the Fiscal 1985 level. Ladies and gentlemen, that's a reduction of one hundred jobs. In...today they've got three thousand three hundred and eighty jobs there; in Fiscal '85 they had three thousand two hundred and ninety-five. It's a...to be exact, a hundred and...it's less than a...less than a hundred jobs, it's eighty-five job reduction. Senate Bill 1839 in the proposal that was discussed yesterday but not put on the bill requires a reduction of one thousand jobs. One hundred in this bill, one thousand in the proposal of yesterday. I don't think

that a hundred jobs is a meaningful reduction in a bureaucracy. Senator Kustra talks about breaking up Chicago into twenty districts that we can all identify with similar to the nine hundred other school districts in the state. That's just not true. That's just not true. Chicago...Ted Sanders at this Podium at the hearings on Chicago reform on April...in...in...in May gave a statistic, Chicago is two hundred and thirty times larger...two hundred and thirty times larger than the average school district in Illinois. This bill divides it into twenty districts, it doesn't divide it into two hundred and thirty districts. This bill, if it passed, would still make Chicago equal to the largest school district in the state, any one of those twenty. Rockford has a little more than twenty-two thousand kids, this would have approximately twenty-one thousand kids in each of those twenty districts. So there's still...still no comparison to the districts that the majority of people in this Body represent. Senator Kustra talked...used one phrase in there and it's probably inappropriate for me to...to raise this, but let me do it anyway. He quoted the Tribune article that talked about political clout. At the present time, the Chicago Board of Education is named by the mayor and there is no elective process involved. Elections mean politics, I say that proudly, each one of us here are a product of that political system. The Kustra bill injects politics directly into the Chicago Board of Education. There will be an election...there will be an election for each of the local district councils, each of those twenty in there. So, all I suggest to you is that if you want to say you want to keep politics out of schools, this is not the way to do it. So, ladies and gentlemen,...oh, let me add one other point, again about bureaucracy. I would suggest to you, and I have a long list but I won't go through it, of problems with this bill. But let me just point out again, bureaucracy. Every one of

your school districts has a legal department or lawyer, one or more; it has an accounting department, one or more; it has a labor relations unit, one or more, and it has a personnel office, one or more people involved in each of those, so does Chicago. Under this bill, with the dividing of Chicago into twenty districts, instead of having one legal department, you're going to have twenty; instead of one accounting department, you're going to have twenty; instead of one labor relations units, you're going to have twenty; instead of one personnel office, you're going to have twenty. I suggest to you this is not helping the children in the classroom, it is helping the bureaucrats. Let us work on Senate Bill 1839. Let us work on the bills that will be coming over from the House. I urge a No vote today. One last point, I think it's also important. Those of you who took the time to attend the hearings that the Senate Education Committee and the House committee and the Citizens Council held in Chicago, back last October after the settlement of the school strike and on April 30th and 31st when the proposals were put together by the various groups, we went there to tell the citizens of Chicago that Springfield would be responsive...responsive, not rubber-stamp, I don't want to imply that, but responsive to what Chicago wanted to do regarding Chicago schools. I stood there and explained the system down here and although Chicagoans are outnumbered approximately eight to three based upon the population of the state, I represented that in the process that we undertake here that the wishes of the good citizens of Chicago would be given great weight. This bill rejects that. One of the issues that were surfaced in the deliberations of all of the interest groups, the parents groups, the business groups, that were debated all up and down since last October and are still being debated in Chicago, rejected...rejected the process of dividing Chicago into multiple districts with elected school boards. This

imposes that. We've heard the word mandate, ooh, mandates. This mandates that on Chicago. This delivers the wrong message to the citizens of Chicago as to what the Senate wants to try to do working with them to improve their schools. I urge a No vote.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First, again, just to clarify for the record, a question of the sponsor. We had discussed yesterday several what I consider to be defects in this legislation, specifically the idea of closer joint venture agreements between the subdistricts, the idea of a little more subdistrict control over things like curriculum, things like overcrowding, et cetera; and then, third, taking out of this altogether the issue of the regional school superintendent. I understand you had drafted an amendment to do that though we did not get back to put that on. Do we have your commitment that the bill will move in that form in the House? Then some further comments.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Yes.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you. With that commitment, I would ask leave to be added as the hyphenated principal sponsor. And let me say I rise in strong support of this concept, as I have for four years. I believe the current system is so moribund that we have come through several generations of uneducated children in Chicago. I have a district that represents seventy per-

cent of my district in the city, some thirty percent in the suburbs, and that has maybe unfortunately given us the ability to compare the quality of educational product that comes from these two areas of a district like mine and many of the others around me. What we see is if we don't have strong parental involvement and a communal aspect to the schools, you don't get good education, it's just that simple. We have all read Chicago Magazine's article and I like Senator Berman's idea of taking a thousand out of the bureaucracy and I'm sure that can be worked on in this bill in the House and I'll make my commitment to do so. I think what we have seen in those stories is just a system that has fallen by its own weight. You no longer have a teacher teaching, you have a concern in the classroom for shuffling paper. You no longer have an administrator administering, be it a principal or a district superintendent, and without that you have no educational opportunity. You no longer have the type of commitment of people in a community to a school because the school cannot be...cannot be responsible and responsive to the needs of those citizens. Many of you on this Floor, any of you who have been here for a few years, have heard me talk about this before. Unlike Senator Berman, I have been convinced that if we do not go through reasonable size system where you can point the blame and get rid of the bad, you cannot...cannot...cannot ever educate children. We find ourselves today with a system that causes people to flee. We find ourselves today in Chicago with a system where about half as many children choose not to be educated in the Chicago public school system than are educated there. About two hundred thousand children in Chicago have chosen alternative means of education not counting all of those who have moved merely because the dream of a good education cannot be found within the borders of the city. I don't think a proposal that keeps a central system that has been so deficient

over these years is a proposal that will educate children. That's what we should be all about. And as the only member of this Body whose children are in the public systems, I'm in strong support.

PRESIDENT:

The gentleman has sought leave...the gentleman has sought leave to be added as a hyphenated cosponsor on 2261. Without objection, leave is granted. Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I wonder, would the sponsor yield to a question?

PRESIDENT:

Indicates he will yield, Senator Newhouse.

SENATOR NEWHOUSE:

Senator,...I think your idea has merit. My concern is how much communication there was between you and the officials of the City of Chicago when this plan was drafted. Could you give us a brief on that, please.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Well, Senator Newhouse, for starters, I sat with Mr. Deans, who is the mayor's summit representative, on two or three occasions in Chicago programs where we discussed his plan. Then, down here on this Floor under the leadership of Senator Berman, we had everyone from the City of Chicago, from the mayor's summit, from all these other groups giving their proposals. The problem, while we're on the subject of the major's summit, is that every time we asked them for a final program we...we were told this was the preliminary agreement, more to follow later. And I guess they're still saying today, seven months after this whole thing started, there'll be more to follow later. But every group,...CURE, I

was the original sponsor with Senator Miguel del Valle of the CURE proposal and I still believe in the CURE proposal but it had to be modified and compromised in order to take in some of the concerns of people like Senator Carroll, and we did that. So, in terms of input, months of it; in terms of my personal involvement and discussions with people from the City of Chicago, much of that as well.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Are you saying then, Senator, are...are you saying that the Senate...that the City of Chicago has signed off on this bill...this concept?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

It's pretty clear from reading the morning papers, Senator Newhouse, that the City of Chicago on this issue is broken down, that they have signed off on nothing 'cause they don't know what to propose much less what to sign off on.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Senator. Of course that was a rhetorical question to get into the record. I understand partially your distress, but I would suggest to you that the go-ahead with the plan that the city has not signed off on would be to impose upon that city a burden which perhaps they should not share. And it is for that reason at this time I will stand in opposition to this bill and urge a No vote on this side.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate,

I don't know what Chicago can do because it has had a mess in its educational system. And I can tell you right now that if you need money from this Legislature and expect it to go to the schools of Chicago and you don't have reform, forget it. Another point that you have to remember, when a prior colleague says this is going to be a political bill, that's hogwash. Talk about politics, look what's going on in the Chicago schools today. They're top-heavy with administrators, the kids aren't being taught, there have been...on the newspapers constantly because these kids...these children just don't have the right opportunities and why? Because the system isn't working. Why not give the system a try? I voted for the sales tax reform bill, it doesn't have everything in it that I'd like but at least it's a step in the right direction. And I think this bill is a step in the right direction and I commend both Senator Kustra and Senator Carroll who see the possibilities of real reform. It's time we cleaned up our act in Chicago. And I can tell you right now, the representatives of Mr. Sawyer, if they're not here, well, I'm sorry, but I'm sure that he, as a conscientious...mayor, would like to see some real school reform in his city. And I certainly urge the passage of this bill.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President and fellow members of this Assembly. My heart is heavy this morning as I sit here and hear that after years and years of fighting in my community, yes, and in the black grace of this old separate but equal situation, here it raises his ugly head here in this council. We have fought separate schools and separate schools but equal and this is what I see in this bill, breaking up the school system in twenty little bitty parishes where those with the political clout and the...and the know and the

wherewithal would take over and do in those smaller school...innercity schools. I know that the Chicago public school system and the education has broken down and there has been a breakdown. But I stand here as a product of the Chicago public school system. I have relatives and friends throughout the system, north, west, south, throughout. And I travel personally throughout that school system on a regular basis and I see the inequities even now, the inequities in different schools and different districts even today when all of them are supposed to be of one. I know what would happen then if we were able to...to segregate them away from each other and we would have one in a Senator Carroll's district and one in the inner city where the fifty-thirds and the third ward and in that area, I know what would happen and I know what the difference would be; and I know that we stand here and say that the money would go equally, that they would have everything equally. Ladies and gentlemen, it don't work that way, it don't work that way in life. It is not about that. Yes, I happen to represent...represent a district where there's a higher income black come from and I would not doubt that in the district...my district that we would fare better than we would in the innercities...in the City of Chicago. But I tell you, ladies and gentlemen, I was born and raised in the innercity of Chicago, I went to school there, I'm a product of the DuSable High School, I come out of there. And I know for a fact if what happened is what is being proposed in this bill that is being sponsored and co-sponsored by a colleague of mine, Senator Carroll, we will have a problem and those schools will go under. Ladies and gentlemen, I stand in strong opposition to this separate but equal bill that is being proposed. There are some good proposals and some good points in here, some good elements in here that I support, but on the whole it's a bad and terrible bill and it slaps in the face of every black not only in the

City of Chicago but in the State of Illinois, no matter where they are. Separate but equal is what this bill is saying to me and we cannot have it.

PRESIDENT:

Further discussion? Senator del Valle.

SENATOR del VALLE:

Senator Kustra, I share your concerns. We have waited a long time in the City of Chicago for this opportunity to make some significant changes in the Chicago public school system. We have waited a long time for these changes, changes that must come. It is our youngsters that are being hurt the most by what is not happening in the Chicago public schools. And it is because of that that we should proceed with caution. It is because we have waited for so long that we should be very, very careful about what we do, because I don't think that we are going to have another opportunity like the one we have now for many years to come. And when you have this kind of opportunity, you want to be very careful that you take full advantage of that and I'm sure you will agree with that. And I share your concerns about...about the need to really bring more power to the local level. One of the reasons why I sponsored one of the bills that really ensures that this happens is because I fully believe that we need to increase parental involvement and we can't increase parental involvement unless parents have a significant role, a role where they are actually involved in the decision making process where they develop a sense of ownership for those local schools. But the answer is not decentralization, I'm sorry to say. The answer is not creating twenty separate bureaucracies, bureaucracies that in many cases, as Senator Brookins has indicated, will then have their problems exacerbated, where some districts will have maybe more than others, where other districts in the City of Chicago will possibly turn their back on those other districts that are

going to remain with the kinds of problems that exist today. We can't decentralize without guaranteeing that we're also decentralizing the problems and making sure that in some cases the problems will remain. Yes, there are some difficult issues that remain. We have not dealt adequately on this side of the aisle with some of those issues; the issues of how the current resources are being distributed. We haven't dealt with the issue of overcrowding in many of the communities. We haven't dealt with the issue of the need for increased funding and this is one Senator that says, not a dime in increased funding until we have a significant education reform proposal. And I think many, many of us here feel that way. And so we are going to take advantage of this opportunity and we're going to make sure that we do it right, that we don't act in haste because we've waited a long time and waiting a couple of more weeks isn't going to make a difference to the people back home because the people back home want something that's real. And the groups that have been advocating, that have been behind this reform movement, the parents, the business sector, are closer today...today are closer to reaching a consensus than they have ever been before in the City of Chicago and we must acknowledge that. I think the fact that the education summit rejected the first bill that the city presented should send a clear message to you that folks in Chicago are very serious about this. And so, let's wait...let's wait a couple more weeks. If we don't come up with something significant, you're not going to see me voting for it and I would urge members on my side of the aisle not to vote for it, because we are going to take advantage of this opportunity and I hope that you will support us in this effort.

PRESIDENT:

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The people in the City of Chicago have gone to their local representatives, local politicians, and have asked them to partake in an effort to reform the education system and the school system in the City of Chicago. The local politicians have pointed their fingers at the representatives here in the General Assembly both in the House and in the Senate and they have said, we're going to wait to see what they do. They are the ones that are responsible for this, so they pass the buck on to the General Assembly and wait to see what we do. And now an issue is before us, an issue to reform the school system and to help the education process in the City of Chicago, and I'm appalled to hear that the people in this Body are asking us to wait, to wait again. Senator Berman brings up a couple of issues. He seems to think that the education and the electorate process that we were all elected by is good enough for the House members and good enough for the Senate members but not good enough for the school board people. I think the people in the City of Chicago deserve to hear people stand up for education and what they promise to bring toward education for our students, our family members. And if they don't have anything to offer, then don't elect them. And we talk about rubber stamps. Right now the city council is a rubber stamp. Isn't it time that we give the people a chance to have a stamp and to put their approval on something that is pertaining to their children and to the education of the children in the City of Chicago? The taxpayers of the City of Chicago who look towards the General Assembly for help and assistance, and we're going to sit here and tell them to wait? This is an excellent package. I heard Senator Carroll speak on a few occasions and one last week where we just discussed among a few of the legislators the education package and schools, and he's a very...knowledgeable person. He took a very

courageous stand today and should be applauded for it. A lot of effort was put into this package for the kids back home. To wait two weeks or to wait three weeks is not the answer whatsoever. I ask that the members of this Body vote Yes for Senate Bill 2261 and send a message to the taxpayers and to the kids back home that we do care. Thank you.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you. I didn't intend to speak today because I did speak, I think, extensively on the amendment yesterday. But I would like to ask the sponsor a few questions. Senator, now, given the fact that we're talking about twenty separate districts, we're talking about the negotiation of twenty separate union contracts for teachers, we're talking about expanding the responsibilities of the...the superintendent and we're talking about,...I think you...you call them...a chancellor or something to...to...to now currently replace the...I mean, to replace the current superintendent of schools. I'd like to hear what you're talking about...about money and how are we going to adjust the state equalizing formula to make up for those severely poverty stricken districts after you cut up all of these districts? Can you tell me this? And how much extra money will we be expecting in the City of Chicago if this bill become law?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. You left one important item out, Senator. By virtue of doing all of the things that you included we also do one very important thing; we reduce the size, by necessity, of the central bureaucracy. By taking the power and moving it down to the district board level, there simply isn't going to be a need for the jobs of all

those folks up there in that central bureaucracy, and I'll address a little bit later to answer...some of Senator Berman's concerns about that. So the fact is, we're trading off here and we don't...are not creating a new bureaucracy on top of another one. The size of that central bureaucracy will come down by virtue of this law.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Senator, I'm asking for hard, cold facts. Now, just as the...the Chicago Board been saying that they've been cutting and reducing over the years, you're talking about cutting and reducing but you're not telling me how many dollars will you save when you reduce. First of all, I don't think you know how many positions at the central board of education that can be cut and...or will be cut and how many dollars you're talking about after they're cut. And until you can do that, how do you expect to know how much money you're talking about? But yet you're talking about putting a mandate...we're talking about a mandate here that we're not willing to fund. Now, you can't go on the basis of how many positions you're going to cut from the central office, we need something more definitive than that, we need to know where the dollars are going to come from. Now let me just go on say, you don't know. And let me say something here that I think Senator Berman...or Senator Brookins touched on and Senator del Valle, I think he said it very well. And I'm really sorry to see that we would blow this opportunity to reform...the Chicago schools. I've been here for twelve years and it has been a constant talk about doing that down here but the opportunity really never presented itself until Mayor Washington really got involved and made the commitment and the continuation of that commitment through Mayor Sawyer in...in the mayor's summit. And I think that given the

opportunity that...those persons and the legislators from the City of Chicago can, in fact, have the ability and the commitment to reform those schools and...and...and will do so. But I'm really, you know, disturbed to see in the name of...of...of...of...of reform...education reform, that the educational reform that you talk about the process and the nature of that reform supersedes the need and the commitment to quality education for the children of Chicago. And I don't care what anybody say here, and if you think that I'm not telling the truth, you just look at the votes from this side of the aisle, it has nothing to do with a commitment to the children in the Chicago school system getting a better education. Now you look at that, because if they vote that way, when I come back here next week I'm going to be trying to put a tax amendment on every doggone thing that goes through here and I guarantee you those...to fund this system that you're proposing today, and I guarantee you those same people that's going to vote for this bill or Present on this side of the aisle will not be voting for that bill to provide the money to fund this bill that you got here on the Floor. So let's stop playing games here in the name of reform. I don't care what the media or no one else says. The politics that involve right now in the process in...in Chicago system is nothing in comparison to the politics that's involved in the reform process right here today in this Chamber. And you all better understand what I'm talking about. And I'm really disappointed and surprised that people that I have respected over the years and have supported me because I support the issues that I thought that they was concerned about have resulted to the kind of shenanigans that's going on here that says that we want to cut up the doggone Chicago school system because it gives us a greater opportunity to organize in terms of collective bargaining. And my God, that's a sad day when you will sit around here and pretend that you care about

the children of Chicago and use them because you scared to get...of getting reelected or who's going to support you or not going to support you. There should be some lines drawn.

There should be a common thread of decency and respect here and integrity that supersedes anything, that you should not be touchable when it comes to an issue like this. And I'm just appalled to...to...to...to know that my colleagues on this side of the aisle would not give us the opportunity from Chicago to...to...to...to shoot our best shot. Maybe we will fail, but my God, give us the opportunity. And you're denying us that opportunity today, and I'm talking about Democratic colleagues when you play that game on the other side of the aisle. I say we ought to defeat this bill. We ought to give the...the...the representatives of the City of Chicago and those persons of the summit an opportunity to resolve this issue and I think we have the commitment to do so.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

...there were several of us that worked on this proposal on this side of the aisle and I was one of them. And I would like to report, particularly for the members on the other side of the aisle, that I was very proud to be part of that group. And our motivation was in no sense of the word partisan. I would also like to report that in my part of the state and I think in virtually all parts of the state, after years of indifference, there's a growing concern about the failure of the Chicago school system. In the past, when I went to a public meeting in my area there was usually talk about the formula inequities and all that. There was never any real concern expressed about whether the Chicago system failed, folded up or went away. That's changed. I think people all over this state recognize that that biggest system

in this state and its success or failure relates very directly to the health of this state, to the stability of this state, to the tax rates of this state and to the major problems of this state. I don't think those of us from outside the corporate limits of the City of Chicago can sit by and watch its continued failure. The...even having said that, those of us that worked on this were extremely reluctant to interject, if you will, our out-of-town perspectives. That is why we looked most directly to the proposals that came from the various interest groups in the City of Chicago, from the educational spokesmen that represent the City of Chicago, from the political leaders that represent the Chicago system. And I think you'll find the proposal before us in virtually all cases reflects suggestions, ideas that came originally from the Chicago populous in one form or another. I think it's a good proposal. I know in talking individually to all of you and to talking to people who I respect in the education community in the city and to friends and relatives and acquaintances in the City of Chicago that the one thing that comes through the loudest is a sincere feeling by all the community, black, white, Hispanic, it doesn't matter, to return control of the schools to them. Nothing comes through clearer to me than that. Nothing comes clearer to me than...that the major failure of the Chicago school system is it no longer relates to and the...the people of the City of Chicago and the average person in the City of Chicago no longer relates to the...Chicago school system. We talk down here about the rights and prerogatives of the bureaucracy and the unions. The Chicago school system does not belong to the bureaucracy and the unions, it belongs to the people of the City of Chicago. The system that is evolved into existence today is one that does not serve the interest of the kids of the City of Chicago, the parents of the City of Chicago, the taxpayers

of the City of Chicago, it preserves and protects and promotes the interests of the union and the bureaucracy, and I am saddened to see those interests so vocally represented today. We, on the Republican side, and I hope on your side, want to return control of this most important system to the people of the City of Chicago. And as the beer commercial says, "It doesn't get better than this." The proposals that come down the road after this will not return the control of the...the system to the people. Please do not be confused, this is not a partisan issue, it is not a partisan issue. We want your system to succeed. We all...all the citizens of this state need your system to succeed. This delaying tactic serves the interest of the bureaucracy and the union. The defeat of this bill serves no one but the bureaucracy and the union. Please, please, help us advance this bill so it can be further refined to address the concerns that you have. Please help us save the children of the City of Chicago.

PRESIDENT:

Further discussion? Senator Jones.

END OF REEL

REEL #3

SENATOR JONES:

Yeah, thank you, Mr. President. Will the sponsor yield?

PRESIDENT:

Indicates he will yield, Senator Jones.

SENATOR JONES:

Senator Kustra, your bill calls for a one centralized taxing authority that would cover the all...all the twenty districts within the corporation of the City of Chicago. Is that correct?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

That's correct.

PRESIDENT:

Senator Jones.

SENATOR JONES:

In the allocation of those resources is there anything in the bill that would determine how those resources are allocated to the twenty districts?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Senator Jones, that would be determined by the elected Chicago Board of Education.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Then those persons elected will decide as to what school gets what rather than the...the schools being based on the needs of the students, the elected representatives will get

together and say this district will receive X amount and et cetera. Am I correct?

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

That's correct within guidelines on page 38 of the bill which says, "To establish an allocation formula for distribution of funds and revenues to the twenty school governing districts, as established in Section 34-5.3, which formula shall be based upon the average daily pupil enrollment within each district and shall ensure an equitable distribution of funds and revenues among such school governing districts."

PRESIDENT:

Senator Jones.

SENATOR JONES:

Well, in speaking to the bill, Mr. President and members of the Senate, after listening to the debate on this issue for the past seven months in the City of Chicago and here in Springfield, and this is the only bill that we have before us, and I wish the sponsor would extend...ask that this be extended until we can have the two bills in front of us because it is my intent to vote for what is in the best interest of the children; not what is in the best interest of the politicians, not what is in the best interest of the unions, not what is in the best interest of the Chicago Board, but what's in the best interest of the children. I hear my colleagues talk about accountability and talk about districts. Two-thirds of my district is in the City of Chicago, another third lies in the south suburbs. I have the opportunity to see both districts in operations. The south suburb residents have an opportunity to walk in and see the superintendent of their schools, they can discuss those problems. In...in Chicago, they rarely, if ever, have an opportunity to see the superintendent. A smaller system is

better. I have stood here year after year fighting an elected school board because I felt that you leave it to the professionals the professionals would do the job. 1983, in Chicago schools, the professionals was running the system; thirty-three percent dropout. Year after year the figure has increased. It's at forty-eight percent. To you who represent the City of Chicago, you speak about the children, don't be afraid to let the parents get involved, they are the taxpayers. It is their money, it's their schools. If you have an elected board, and I have always opposed it, but it can't be any worse than what we got now. Overcrowding of schools, I heard...Senator del Valle, you talked about overcrowding of schools. There was a bill last Session that dealt with schools on the southwest side of the City of Chicago that the school...the Chicago Park District was using for senior citizens, and you should go back and look at the vote on that bill because it dealt with overcrowding. They did not want...the Chicago board didn't even fight it but they didn't want a certain school on the southside who was overcrowded to send those kids to that school. You on the other side of the aisle voted for it, many on this side of the aisle voted for it, not what's in the best interest of the children but what's in the best interest of whom you ever thought was sponsoring that piece of legislation. This bill is something like the Ragu Spaghetti Sauce. It has some good things in it. It has...it has...it has accountability and don't worry about the politicians, the aldermen, committeemen getting involved in the elected process, they are people too, they have children and some of the committeemen can't even get elected themselves. So how in the world are they going to get someone else elected? We've got to do something for the children. We have left our children in the hands of those who said they're going to do the best for the children. It's like a fox watching the chicken coop and year after year more

of the little chicks escape, they leave it and stand on the outside. If you drive around the City of Chicago, at some of the public schools many of the drop-out students are on the outside of the school looking in. Something is drastically wrong. We have an opportunity this Session to do something. There are provisions within this bill I don't like, but I have...we have not said now I came up with a proposal that's going to deal with the issue. It is my intent to vote for what's in the best interest of the children. I don't want to vote for this now until I see the other one. I'm not going to vote for the bureaucracy. I'd like to have both bills heard at the same time on the same date, and then at that point in time, we will know what we have as it relates to the education of children in Chicago public schools. There is no reason, Senator del Valle, that your child should have to...travel ten miles to receive a quality education. There is no reason that a...a child in my district would have to travel ten miles to Senator Howie Carroll's school to get a quality education. Every school should be quality. There is no...I don't like the magna school concept where a few of the elite receive the resources of this state or the city, and don't be too afraid about having twenty districts because let me tell you one thing, I am not one to sit here and say that people in certain parts of the city cannot educate their children. Most of your black leadership in this nation came out of black colleges and remember that, but when you said that the resources and you will not be able to do it in your own community, you're saying you're not qualified to teach your own children and I don't think that's right. If you break it up into twenty district, it has accountability in there, and I have fought this concept, but if this is going to be the best for the children...two weeks from now, Senator Kustra, if this bill has better ingredients than the other package, I'm going to be on it, but at this time I'll vote

Present.

PRESIDENT:

Further discussion? Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. The ten years that I've been in this Body, I...I don't know of a day when...when we ought to be more unified than...than today. Senator Collins and Senator Brookins and others, you came down pretty hard on the Senate Republicans for really ignoring concerns of the Chicago school system and the boys and girls up there. In discussions that we had putting this package together, never a time went by, never an issue was discussed that we didn't show concern for four hundred and thirty thousand young boys and girls in that city who have been denied a quality education, a quality education that the rest of us are privileged to have for our young boys and girls, and I really resent, I guess, the fact that...that we're treated that way and thought of that way. We've worked terribly hard putting this package together. Senator Berman, you and I have stood shoulder to shoulder on a number of major issues in the ten years that I've been here. One of those issues was school reform in 1985, and if you recall, we allowed those bills to move through and finally got into conference committee and put the final package together. If we leave this Chamber today voting No on this issue, it's going to be perceived as a no for school reform in the City of Chicago. Make no mistake about it. And I would say to my colleagues from the city, as I've...as you've heard me say before, I've had the privilege of touring that school system and I've seen the good schools and I've seen the bad schools. Senator Brookins and others, if you believe what we are about will make it more unequal, you haven't visited your own schools. I've seen the best...the best of everything in some

of your schools and I've seen the worst of everything in some of your schools. And I can recall putting a question to Doctor Byrd when I was describing for him one of the schools that I visited, the likes of which I didn't think even existed anyplace in this country, and I said to Doctor Byrd, "Why in the world is this allowed to happen?" And you know what he said to me, and I've agonized over this statement for two years, he said, "Senator, it's a matter of priorities." What he was saying to me was it's wherever the pressure is, that's where the money goes. I don't know exactly, Senators, what school districts or what school buildings you represent, but some of those school buildings that are deplorable are in your area and you ought to be concerned about this. This will provide for us a check and balance, a check and balance that is needed in the Chicago school system. I, for one, also have said, no tax increase without school reform in Chicago, and I mean that. I mean that. I think it can happen if we stand together. Senator Berman, let's allow these bills...this bill to move through the Chambers and get into conference and work out these minor problems that we no doubt will have. I'm tired of the Chicago school...system and, indeed, the entire State of Illinois being indited across this nation, yes, across this world for the kind of educational program we have in Chicago. This is a critically important vote for all of you today and I urge your support.

PRESIDENT:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I think Senator Maitland has hit the nail right on the head and that is that what we are doing here today is going to be perceived in the press tomorrow; either we are going to move ahead with passing a Republican bill out of here with some school reform or we are going to kill this bill and we're going to be perceived as

not doing anything at all for Chicago school reform. That's what the headlines are going to be tomorrow. I, today, am prepared to vote in the affirmative to vote for this bill, to get it out, keep the pressure on. I don't see anything on...with both sides of the aisle...with getting anywhere close to...to resolving this problem. It's only May the 20th. What's the big deal? Let's send this bill out, keep negotiating, if we got a...a proposal that is better than your proposal, Senator, we got thirty votes over here, we can pass our own, so let's get it out of here today.

PRESIDENT:

Further discussion? Senator Kustra may close.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Thank you, Senator Demuzio, for your comments. I would just suggest to you that I...I really don't think this is just some reform. First of all, it's a proposal we've seen before and I thank Senator Carroll for his sponsorship as well. He's been through this before. This is a proposal that comes from the City of Chicago as one supported by and developed by this side of the aisle. Just to Senator Berman, who I have great respect for and who I think is very influential in school matters, on the subject of what we are trying to do and the reason why I don't think it is just some reform but significant reform and effective reform, the freeze in the bill eliminates eighty positions just the first year. Then there's language on the last page of this bill which gives the Chicago Schools Authority the right to go in there and determine the minimum administrative structure necessary for the central board, and then that central board elected by the people will act from there. As to the question of district size and is that too large of a district or what is the optimum size of a district, remember, Senator Brookins, since you're concerned about your local schools and the parents in

your schools, that there's a local school improvement council in this bill that gives your parents the right to veto the selection of a principal. Where in the Chicago school system today does a parent have that right? Nowhere. Nowhere. This is it. This is significant reform. The principal is the key person and we are saying to the parents, you take it, if you don't like who your district superintendent has selected, then you veto it. And who is that district superintendent? That district superintendent is elected...or appointed by people who are elected; now that district superintendent is appointed by another bureaucrat ahead of him, above him. And as to the size of the district and the cost, when you decentralize, you cut cost or at least you move those cost down and it becomes the people at the local level that determine what kind of cost they want, that's their decision. That's what our local school boards do. We determine at the local school board level what we want the cost of education to be for our children and that's what we're giving to the City of Chicago by this legislation. To the subject of...and I'm as weary to answer the subject of politics injected into the system, Senator Berman, as you are to bring it up, but believe me, this is a nonpartisan brand of politics, the same nonpartisan politics you now want in the selection of your mayor over there in Chicago and so we're saying...what we're asking for in this bill is to give people control. That's politics all right, but let me tell you, it replaces a brand of political nominations which have been in place for too long in the City of Chicago which simply haven't worked. Let me conclude by saying that it comes right off the front page of the paper and, again, because I have so much respect for Senator Berman, I can only agree with what he says, here on the front page of the Tribune, "There is input from the summit but we can't wait for them." That's what it's all about. We cannot wait. It is time,

Ladies and Gentlemen of this Senate, to give some hope to the people of Chicago, to keep the issue of school reform alive. We have a saying in the Senate Education Committee, "Will it help the kids?" I think it will and I solicit your Aye vote.

PRESIDENT:

Question is, shall Senate Bill 2261 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, 9 Nays, 5 voting Present. Senate Bill 2261 having received the required constitutional majority is declared passed. Senator Karpiel, 2262. Madam Secretary, on the Order of Senate Bills 3rd Reading, Senate Bill 2262. Read the bill, please.

SECRETARY:

Senate Bill 2262.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. This is an administration bill. It provides that the Pollution Control Board may consolidate up to six months of federal rules that are identical in substance and must be adopted by the state into a single board rule making. The purpose of the bill is that it will reduce the number of board proceedings and streamline the Pollution Control Board rule making process. As amended, it provides for uniformity in the siting process and stipulates that the state standard for fluoride in drinking water may be no more stringent than the federal standards. As I said, it's an administration bill and I ask for your Aye vote.

PRESIDENT:

Discussion? Any discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor, Mr. President.

PRESIDENT:

Sponsor indicates she will yield, Senator Welch.

SENATOR WELCH:

Senator Karpziel, could you explain the amendment that was put on yesterday. In particular, I believe the amendment deals with unincorporated Cook County in the...Senate Bill 172 exemptions and why that amendment was put on there?

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

To make it uniform across the state.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, the City of Chicago is still out of it though, so it doesn't make it uniform, but what was the...is there a specific site that you're trying to take care of or...or what?

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

No.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Well, you...you put...right now, Cook County is not subject to 172 permit requirements, and what you did was you put on an amendment that said unincorporated Cook County is subject to those permit requirements but not the City of Chicago itself. Is that correct?

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

Yes.

PRESIDENT:

Discussion? Any further discussion? If not, the question is, shall Senate Bill 2262 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. Senate Bill 2262 having received the required constitutional majority is declared passed. Earlier we skipped 2040. Top of page 4, Madam Secretary, on the Order of Senate Bills 3rd Reading is Senate Bill 2040. Read the bill, please.

SECRETARY:

Senate Bill 2040.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 2040 just does one basic thing, it would allow the county hospital to enter into a joint venture and reciprocal agreements with the University of Illinois Hospital. That's all it does. I...I don't know if they will try to change that proposal in the House or not, but at this time, it will allow the county hospital to work with the University of Illinois, hopefully, to provide better care for our indigent. I would seek its passage.

PRESIDENT:

All right, Senator Savickas...any discussion? Discussion? If not, the question is, shall Senate Bill 2040 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have

all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, 1 voting Present. Senate Bill 2040 having received the required constitutional majority is declared passed. All right, ladies and gentlemen, if I can have your attention, we've had two requests...we have now been through the Calendar. We have had two requests, one to go to the Order of Consideration Postponed and the other to go to the Order of Secretary's Desk Concurrence for the concurrence...the motion to concur in House amendments to Senate Bill 63. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to indicate that Senator DeAngelis is away because of an illness. I just have a report from the Kansas City Hospital, he's out of the operation and doing fine.

PRESIDENT:

Very good. Thank you, sir. The record will so reflect. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. If, in fact, we do go to Secretary's Desk Concurrence, I would ask that Senate Bill 1206 be considered also.

PRESIDENT:

All right. All right, bottom of page 21. We've got two more orders of business, ladies and gentlemen, and if we can cut down on the Fourth of July speeches it would help immensely. Bottom of page 21, on the Order of Senate Bills 3rd Reading Consideration Postponed is Senate Bill 1584, Senator Smith. 1587, Senator Smith. 1600, Senator Jones. Senator Jones. On the Order of Senate Bills 3rd Reading, Madam Secretary, is Senate Bill 1600. Read the bill, please.

SECRETARY:

Senate Bill 1600.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. This bill was heard yesterday and to explain again, this is primary a land use and land planning bill in an attempt to improve the quality of life on the southeast side and the south suburbs of the City of Chicago. The...this bill will create the authority, as I so indicated. It was recommended by Director Carlson of the EPA in order to...to deal with...this area out there which is the most severely polluted area in the country. There was questions as it relate to the permit fees. I've discussed that with our chairman on this side. We agreed that we will work with that part as it relate to the fees in the House and so...and so that it will not create unnecessary problem and we'll continue to work with the City of Chicago on the issue, as I indicated, and I ask for a favorable vote.

PRESIDENT:

Discussion? Senator Welch.

SENATOR WELCH:

Yes, Mr. President, I would stand in support of this bill. The process is going on to continue to negotiate how to pay for the cleanup on the southeast side of Chicago. Basically, that's one of the worst areas in the state. It does not have the same aspects that make it a Super Fund site; however, because it is so close to a populated area, it does deserve special attention, and I think that continuing to work on the fee structure will make this a good bill and that's what we intend to do in the House. And I would now support the bill.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. The preemption issue, I believe that was raised earlier and the Chair addressed it in the 2nd reading. Is that true that this will not preempt?

PRESIDENT:

The Chair yesterday ruled, that is correct, that...

SENATOR KELLY:

Thank you...

PRESIDENT:

...the bill in the judgment of the Chair was not preemptive and so a simple constitutional majority will suffice.

SENATOR KELLY:

Thank you.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Mr. President, I still rise in strong opposition to this bill. I think that it...that there is just...it established precedents that we don't need. There are other areas of this state that could also claim the same needs, and I think that for all the reasons that we opposed this bill the first time around, I would have to strongly...stand in strong opposition to this piece of legislation.

PRESIDENT:

Further discussion? Further discussion? Senator Jones may close.

SENATOR JONES:

Yeah, thank you, Mr. President. I ask for a favorable vote.

PRESIDENT:

Question is, shall Senate Bill 1600 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who

wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 21 Nays, none voting Present. Senate Bill 1600 having received the required constitutional majority is declared passed. 1628, Senator Dunn. Senator Dunn. Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. Yesterday I made the representation on this bill that I would kill it in the House if I got a letter confirming the agreement I was waiting for. I received the agreement yesterday afternoon after our previous vote, so I would move to Table it.

PRESIDENT:

Senator Dunn has moved to Table Senate Bill 1628. All in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senate Bill 1628 is Tabled. 1819, Senator Collins. 2167, Senator Marovitz. Senator Smith. On the Order of...3rd...Senate Bills 3rd Reading Consideration Postponed is Senate Bill 1584, Madam Secretary. Read the bill, please.

SECRETARY:

Senate Bill 1584.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen. This is the same bill that I brought before you yesterday about a supplemental school meal nutrition program for young girls who are pregnant or lactating students. I understand that some thought that it was a mandatory program. It is not mandatory...we merely...permissive and so it's not...that...that the students have to participate in this, but it will help the...they prove the health care of

these...teenagers for...when they have children, they'll be able to eliminate this infant mortality which the Governor talked about and wanting to increase the funding for that. So, this is the program that's going to help them and I'm asking that they have to have application, participation on this program...before the State Board of Education. Please give me your favorable vote on this and give these young mothers an opportunity to bring some healthy babies into this world, because of they are not healthy, they're going to become responsibility of the state for the rest of their lives. Thank you.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, being officially designated as the hit man by one of the...one of the people on the left side of the aisle here, and I suggested to him he might be the first casualty, this...this bill was bad yesterday, didn't get enough votes. It certainly hasn't improved whatsoever overnight. It has an effective date that doesn't kick in 'till 1990, so there's no urgency for this to happen at this time. It's a far cry from emergency need of what our rules call for in an even year. If it is such a need, we can take it up in '89 'cause it doesn't have an effective date. This isn't going to do anything but duplicate a program that's already in place by the federal government, and I urge all of you who voted No yesterday to vote No today. Thank you.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I wasn't going to say anything. Eighteen years ago Senator Partee introduced, at that time, you know...all of you know about the eight beatitudes,

"Blessed are the meek, they shall inherit the land," and so on. He introduced nine, "Blessed is he who has nothing to say," and tenth, "More blessed is he who will not say that." But I'm forced to say something here since the hit man rides again. I just want to say that this is good legislation and please hit those green lights. Thank you.

PRESIDENT:

All right. Further discussion? Senator Smith, you wish to close?

SENATOR SMITH:

Thank you, sir. Merely I want to encourage you to please permit us to have a favorable vote on this. We were here arguing while ago about children and their schooling. What can you do with schooling if you do not have healthy children? This will give the parent who is a preage to have a nutritious diet that she can bring a healthy baby into the world. You prepare for war in time of peace. I only ask for your favorable vote. Thank you.

PRESIDENT:

Question is, shall Senate Bill 1584 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 23 Nays, 2 voting Present. Senate Bill 1584 having received the required constitutional majority is declared passed. 1587, Senator Smith. On the Order of Senate Bills 3rd Reading Consideration Postponed is Senate Bill 1587. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 1587.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I also had this bill before you. It's a bill of trying to help teenagers become independent and become taxpayers in the City of Chicago and the State of Illinois all around. This is what we're seeking to do. This is a school to prepare young parents program. Beginning in Fiscal Year 1990, authorizes the State Board of Education to award grants to school districts for young parents educational program. There would be ten grants...offered across the State of Illinois and the purpose of this bill is order to provide incentives for student parents to remain in school and complete their high school education by allowing districts to operate day-care centers and implement educational programs for student parents. That's what this bill is all about and it would help...it's not mandatory, it is...it's permissive and it's voluntary, and only in areas where they have the facilities to house such a program will these grants go, and that's all I'm asking you, please, again, prepare for war in time of peace giving these...school children an opportunity to become self-sufficient as they grow older.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this bill, again, didn't improve overnight but apparently the sponsor was able to connive a couple of extra votes that she didn't get yesterday, in fact...even with one of yours missing. I would suggest to you, ladies and gentlemen, you'd better look at this twice. All of you earlier today in debate were talking about the overcrowded schools, et cetera, et cetera, et cetera. This is going to create the school district to make a room available for child care in an overcrowded school. Now you all cry and carry on about that, better

think twice 'fore you put a green vote up there on this one.  
I urge all of you to vote No.

PRESIDENT:

All right, further discussion? Further discussion?  
Senator Smith may close.

SENATOR SMITH:

Thank you, Mr. President. And to my colleague, I still stay that young people are dependent upon us for their survival. This is an opportunity to help school children who are in school to remain in school and to better themselves so that they too can become taxpayers. They need encouragement, we have the privilege to do it. Thank you for your vote of favor. Thank you.

PRESIDENT:

Question is, shall Senate Bill 1587 pass. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 25 Nays, none voting Present. Senate Bill 1587 having received the required constitutional majority is declared passed. Senator Davidson, for what purpose do you seek recognition?

SENATOR DAVIDSON:

Verification of the Aye votes, please, sir.

PRESIDENT:

That request is in order. Senator Davidson has requested a verification. Will the members please be in their seats. Madam Secretary, please read the affirmative roll.

SECRETARY:

Alexander, Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Luft, Netsch, Newhouse, O'Daniel, Poshard, Savickas, Severns, Smith, Vadalabene, Welch, Zito and Mr.

President.

PRESIDENT:

Senator Davidson, do you question the presence of any member?

SENATOR DAVIDSON:

Jeremiah Joyce.

PRESIDENT:

Senator Joyce on the Floor? Senator Joyce on the Floor? Strike his name, Madam Secretary. Further questions, Madam Secretary? All right, the roll has been verified. On that question, there are 29 Ayes, 25 Nays, none voting Present. Senate Bill 1587 is declared lost. All right, Senator Kelly has requested that we move to page 19 on the Calendar on the Order of Secretary's Desk Concurrence for the purpose of Senate Bill 63. Madam Secretary.

SECRETARY:

House Amendments 1 and 4 to Senate Bill 63.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and my fellow Senators. This motion has...President and Secretary had indicated would allow us to consider Senate Bill 63 which is on the Secretary's Desk under concurrence. This is an issue that we have debated in great detail during the...last year and it...to refresh your memory, it's the bill which would prevent the schools from dispensing contraceptives to students. There...there were changes made in the...in the House by amendments which would return the legislation to its original intent and possibly we can discuss that later, but for this time being, I would ask for your favorable support to allow us to get to that order of business.

PRESIDENT:

Senator Kelly, I think we are on that order of business.

Let's have at it.

SENATOR KELLY:

...I know we're on the order of business, but I'm talking about for us to consider it...oh, we're...right now, we're ready to go. Okay. All right, House Amendment No. 1 would return Senate Bill 63 to its original intent and it would prevent the schools from dispensing the contraceptives to students. Senator Berman had sponsored an amendment which allowed parents to...to sign and authorize their children to be...participants in the contraceptive program. The House Amendment No. 4 would prevent abortion clinics in...from counseling for abortion and also from using the abortion procedures. So, it would, in effect, prevent abortions from taking place on school properties. That's what the...that's what the second amendment would do. Other than that, I would ask for your support.

PRESIDENT:

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. First, I'd raise a point of order as...raise the question as to whether this consideration of this bill at this time is in order, specifically whether it doesn't have to be approved or cleared through the Senate Rules Committee.

PRESIDENT:

Under the rules, it does not.

SENATOR BERMAN:

All right, thank you. On the...on the motion to...to concur. I think it's timely that we debate this at this time and I suggest that because we have just gotten done with a very substantial vote in favor of a bill dealing with Chicago school reform in which the proponent of that bill and forty-one members on this Floor agreed with the concept of local control, and let me go further. We not only talk about local

control in Senator Kustra's bill regarding Chicago reform but we talked about parents. Now I want to be very clear and Senator Kelly graciously referred to it, but I want it to be unquestionably clear in all of your minds because the synopsis in the...in our Calendar is wrong. This bill before us today says that the General Assembly prohibits counseling dealing with abortion, and other items that I'll address in a moment, regardless of whether parents want it or not. The way this bill left the Senate it required and would allow consultation regarding birth, regarding abortion if there was parental consent. Parental consent was taken out of this bill in the House so that what you are being asked to do today by casting an Aye vote is to say two things. We are saying exactly opposite what we said...or forty-one of you said ten minutes ago, we are being asked to say by an Aye vote that Springfield knows better how to concern itself with the serious, serious problems of pregnancies in the Chicago public schools than do the parents and the people and the teachers and the children in the Chicago public schools. I would suggest to you, and sometimes we are inconsistent, but I would ask you to please be consistent today and the forty-one of you that voted Yes on...for Senator Kustra, vote No on Senate Bill 63. Secondly, we have talked and talked and talked and most of the time even vote to give a vote of confidence to parents in controlling the lives of their children. That's what Senate Bill 63 is all about. I, ladies and gentlemen, as a resident of Chicago and a Senator from Chicago, cannot identify with the parent of a child at Orr High School or at DuSable High School or at Crane High School a girl who may be thirteen years old or fourteen years old or fifteen years old whose...whose daughter is going out and is sexually promiscuous, as are many of our children, and I don't want my child to have a baby. I don't want my daughter as a student at one of those three high schools who's a child

to have children. I want to give her all the facilities possible to let her grow up and be a contributing, not a dependent, citizen of our city and state, and in those three high schools today, there is a clinic that gives health consultation including birth control, and it's a fact of life in that community and in every other community in our state. Let's not be hypocritical and vote Yes here and then bemoan the fact of the terrible things that we read about in the Chicago schools. I have some statistics for you. At DuSable...and this voluntary, I want you to understand this, this is voluntary. The Chicago board held hearings in each of these school districts where these clinics are held, they had parental and community response that wanted these clinics in those schools including birth guidance, and before this guidance is given, there is a list...a detailed list that goes home to the parents and the parent must affirmatively check off that they want this kind of guidance. In DuSable High School, eighty-three percent of the students are enrolled in that clinic, eighty-three percent, and I...you know and I know that a major concern of those parents is birth control. At Orr High School, seventy-six percent of the students are enrolled at this clinic and at Crane, forty percent. Now let me tell you one other thing, you know, we keep talking about the daughters and the women and children having children. Of those statistics that I've given you, a very remarkable statistic, and it's important because it also deals with birth control and abortion, forty-four percent of the students enrolled at the DuSable School Clinic are boys; forty-nine percent at Orr are boys, forty-eight percent at Crane are boys. They should understand the consequences of their acts and what's involved in birth control and what's involved in abortions, ladies and gentlemen. I ask you...we've talked about the children of the City of Chicago, these are the children that need the greatest help in a socially sensitive

area. Don't deny it to them. Don't deny it to them. Please vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and members of the Senate. I know we have debated this subject before, and to that extent I suppose we...some of us must apologize for speaking again, but it is an important one. Whether we vote Yes or whether we vote No on this matter today, whether we approve it or disapprove it, we will be making a statement to the public and to the people across the State of Illinois and to the school children in our schools across the State of Illinois, not just in Chicago, not just in...some other areas that have been mentioned but across this state, we'll be making a statement as to what is the legitimate function of our schools. Are we to become hospitals, clinics or whatever? Are we to say that...are we to say yes to permissive sexual behavior and make that the policy of the State of Illinois as far as our schools are concerned? I think we have a real decision here as to what we feel is the rightful duty, the moral duty and perhaps the ethical duty of our schools, what they should be involved in and what they should not be involved in. We don't say yes to drugs. What do we say? We say no. We urge our school children to say no to drugs. We urge our school children to say no to pornography and all the rest of our citizens across the state to say no. We don't say, well, the kids are going to do these things anyway, and inasmuch as that is true, why not introduce these things in the school, show them how to do it, give them the paraphernalia, give them the materials and send them out on their own with a false impression that these are going to provide protections, and I think we're not only giving the wrong message but we are also placing these very kids that we presume

to want to protect in danger because what we're saying is, if you do this and you do that and you use these preventative measures the chances are that you will reduce your risk of having children, of catching disease; and the empirical evidence, I'm sorry, Senator Berman, does not indicate that this is true, so in a sense we are giving these children not only a message but a false message and a message which encourages a practice which in turn puts them in danger. The very children that we seek to protect and say we're so interested in, we are saying under these provisions, under these circumstances you go ahead and do these things. I think it's wrong to do that. I think we're placing them at risk. I don't think we have any business to do...and nothing has been said about the legal implications of these things. The day will come when our schools will be sued by somebody and sued, I think, in a massive way because some youngster that has been assured that he won't get a venereal disease or that he...that he or she will not have an unwanted child has one and somebody is going to have the bright idea and it'll be backed by attorneys across this state that they have a right to sue the school system for advising them that way in the first place. Is it a responsibility...a legal responsibility here? I think it can be argued that, yes, there is. Well, I'm going to bring my remarks to a...to a close, but I am...put in mind in closing what one of our founding fathers and one of our premiere statesman of our country said and that was that we should...it was his feeling that we should raise standards to which the wise and the prudent could repair, and I think that if we will support this business and put the State of Illinois on record as saying this the schools can do and this the schools cannot do, that it is a standard prohibiting the dispensing of these things, and advocating abortions is a standard, I believe, to which the wise and prudent can repair and I would urge your Aye vote on

this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. This is a difficult subject to discuss and I find it very sad that it comes in this form but we're not, in my judgment, addressing the problems, problems that are going to exist as long as there are children in this state who are denied access to all society's benefits and we know that that's happening. I'm afraid we're not looking at the realities of...of today's society and those realities include family breakups in large proportions, community breakdown as a consequence of that; and part of governments job, it seems to me, is to look into that area so that benefits will be spread equally and so that children will not have to make decisions that will affect their lives far into the future. What is the situation today? The situation today is that, of course, we have increasing numbers of youngsters engaging in sexual activity for a variety of reasons; a feeling of belonging, a feeling of caring, a feeling of having someone to whom one can turn in times of stress. Those are realities and the facts of life are this, if we look at this simply from a fiscal standpoint, a fiscal standpoint, a child carrying a fetus is a walking time bomb. We all know that most of those children coming from that circumstance will be damaged by the time they come out of the womb. Somehow we expect that teen child to become a nurturing mother on the spot. Well, it just isn't going to happen. Adolescent children play with dolls and once that damaged product comes out into the world, that adolescent product is going to go back to doing what adolescent children do. So, we have now a damaged product without nurturing. The social costs of that are staggering and we see it every year when we come down here and look at the public aid rolls, at

the mental health and the public health rolls, we look at the cost and when industry begins to tell us the amounts of money that industry is losing because damaged products don't come through our education system hole, the figure that's being bandied about is two hundred and eighty-five million dollars. Well, the budget for the State of Illinois is nowhere near that. We could run the State of Illinois for ten years on the cost to industry of damaged products failing to come to an education system. That's what we're dealing with. That's what we're dealing with. So, we do have to act quite differently from what we normally like. Somehow we have to cut them off at the pass and that's what this is doing. I would hope it's not a permanent condition but certainly it's one we're living with now. Perhaps at some point in the future we'll begin to kill those societal problems that are resulting in what we see before us, that's a rising number of single generational families, children having children. No society can long exist when what we have is an approaching critical mass in our urban areas of children having children. Let me tell you something, you can tell me, those of you from suburban and rural areas, that the problem does not stop at the city boundaries. It's a problem that affects us all. It's a sad solution to a sad problem, but it's one of the few solutions that is available, and for that reason, I would urge a No vote on this bill. Let us at least prevent the kind of destruction that we've looked at for the past ten, fifteen years without doing anything. Let us not increase the numbers of those who are coming into society adding further burden on the tax rolls, unable to participate equally in the benefits of our communities and, therefore,...therefore, creating a kind of a time bomb that we simply cannot afford. I urge a No vote on this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? We have the following

speakers, Geo-Karis, Brookins, Poshard, Smith. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, when we passed this bill out of the Senate there was an amendment on it that said this information...the prohibition against giving any information or...relative to contraceptives or distributing shall not apply if written parental consent has been obtained. When this bill went over to the House, they knocked off this provision. I submit we are not living in a police state. I submit that parents should have the right to control their children's lives when they're young like that. I submit that the parents should decide and make the decision whether or not they should...the children should be given any advice or any help on any problem relative to possible pregnancies. I don't think we are right in passing this bill without that provision. I feel very sad that that provision was knocked out, and I can tell you right now, I'm not for abortion except to save the life of the mother and in rape and incest cases, and much as I don't want to, I will vote Present because I do not want to see a bill like this go through without parental consent. After all, if the parents have the responsibility, the parents should be consulted, they should...be allowed to decide whether or not their children should get any help like that, and I can tell you, there's a lot of parents in my area feel that they want the right to make the decision. We voted for a bill out today to give more local control in the school district and I think that's a good idea, so why are we denying the right of the parents their right to decide what is best for their children? I submit that this is a bad bill without that amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Senator Berman and Senator Newhouse said everything so eloquently. I just wanted to add to that, there is no people, no society that condones permissiveness that I know of, that condones their children to...to have sex without the responsibilities that goes with it; therefore, I, with mixed emotions...the father of three, two of which are young ladies, one is a young man, have to weigh what is best for...society today and what can we do. Is there any solution? I don't have the solution to the dilemma that we're faced with today with our young people. Until a better way comes or we find a better solution, I must oppose this bill and I ask my colleagues to do likewise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a...such a tough bill and I was hopeful that maybe we wouldn't have to deal with it again and I certainly did not want to necessarily speak on it again but I feel compelled 'cause I think there's...there are some issues here that concern us all. First of all, I don't believe by any stretch of the imagination that this bill has anything to do with local control or parental permission. I just don't see that entering into it. This bill is about what society and in particular the government that represents that society condones or condemns as appropriate or inappropriate behavior on the part of our children. The question is, really, at bottom line, at what point are we condoning, as a society and as representatives of government in the society, at what point are we condoning sexual liaison between our children, and that's the real question that each of us have to decide in our hearts and minds if we're concerned about this. I believe in the health care clinics in our schools. I believe

in the education that they give our children in helping them to make intelligent decisions about what they should or should not be doing with their bodies and the consequences of that. I believe in sex education in the classroom, but I do not believe that we, as representatives of government in this society, ought to go that one step further in dispensing contraceptives to young people, because crossing that threshold is condoning the act itself; and let me ask again who among us in this Chamber subscribes to a faith or who among us comes from a society anywhere in western civilization that has ever condoned the sexual liaison of our children before marriage? Now we're being asked to do that as representatives of government in the State of Illinois and I think that's the wrong decision for us to make. I have children all over my district who are poor and who are faced with these decisions every day, just as children in the City of Chicago and elsewhere are faced, and if you talk to the parents of some of those children who are half starving at times, you would find many of those parents giving their permission to let their children steal food so they didn't have to go hungry or to commit other things, perhaps, so that they didn't have to suffer from need, but does a parental permission to do something that is clearly wrong in the eyes of society make it right? It doesn't and it doesn't in this case either. Maybe we cannot identify with some of the children that are faced with these decisions but that doesn't mean we have to agree with them. I don't think we should and for that reason, I stand in support of this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith and then Senator Fawell. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. My husband who used to reign in these

halls...Chambers here had a saying that said, "For fools contest...for forms of government let fools contest but what's best administered is best." I say that to say that I happen to be in the thick of this for I represent the 12th Senatorial District and it is where the DuSable High School is and I see my colleague from the House, Representative Paul Williams, here. He can also attest to this. We are privileged to have that clinic in our district because it not only helps the parent but many of those young people do not have the facilities or financial need to go to clinics or hospitals to be serviced. These school based clinics that we have there at the DuSable High School administers not only for sexual use but for the whole body, for we have many anemic, high blood pressure and all types of illnesses in these young people, and so the school primarily administers to the entire child. Those that come there for contraceptives is a minute thing if you look at the statistics, but we have families, mothers who are parents of large families. They don't encourage their young people to go out and be permissive, but they do it because they are run in gangs, they have peers and so, unfortunately, they get caught and they find themselves pregnant while in school. They will go to the school and ask for some assistance. Primarily they're asking for contraceptives or preventive one to keep them from getting pregnant. Before they are issued a contraceptive, that child has to first go home and get its parent and only with the parent signing this document are they considered, and if and when that child is considered for a contraceptive to prevent them from getting pregnant, they are then set to a doctor and the doctors counsels with this child and offers the type of contraceptive that that child is going to have. Now, this is what the whole thing is about. These parents have large families and if they bring another child in there, their rent goes up more and they cannot afford that. It is not right.

I'd rather see them keep them from having babies than to have them getting abortions and getting abortions is not right, so if they have a child, you don't want to give them any money to help them on their way, you don't even want to provide them for a nutritional program to bring a healthy baby into this world. You don't want to help them educationalwise and I even had some of the women from the suburbs who came here and fought bitterly against this. I said I would like very much for you to be my guest and come over with me to the Robert Taylor homes and address the parents there. Oh, no, no, no, no, not me, but yet they're criticizing. So, if you can help these children...and it's a minute thing, and then the next thing, you do not even want them to...in this bill you say you don't even want them to have counseling from the school warning them the...the penalties that are behind this. So, what I am saying here, which is the best of the two evils. It...I understand my colleague...Senator Hudson said that you don't want them to get disease and...and all of this. All of this is done legally and it's done under the supervision, if they are permitted to have them, by a physician who is a reputable...or to the hospital that is...they are not so as you have in this bill that they are sold on the grounds. This is not sold and I would ask Senator Kelly to come over to Robert Taylor and come to DuSable and see for yourself. Don't misrepresent this thing. It's a godsend to keep these kids from getting pregnant if they have to have it, and so I'm saying that I...I...I wholly...heartily say let us vote No on this...on this because it's misrepresentation to our society, to the people who are responsible for this. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Fawell appears to be the last speaker. Senator Fawell.

SENATOR FAWELL:

Thank you...thank you, very much. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Senator Kelly, I'm trying to figure out just exactly what you're trying to do here according to your amendment. I understand, first of all, you do not want to hand out contraceptives on the school grounds and...and I'm coming around to the point I think I agree with you on that point, but is that...that's your first idea, right?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR FAWELL:

I mean, there's nothing...

SENATOR KELLY:

Yes...yes, it is, Senator...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Wait a minute. Senator Kelly.

SENATOR FAWELL:

There is nothing...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kelly, did you answer the question? All right.

SENATOR KELLY:

The answer was yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

There's nothing to prevent somebody for walking across the street into a clinic or something and...and getting those things. You're just saying not on school grounds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

I'm saying not on school grounds. If it's done off premises, then that's the way it would be done and...we're just saying as a policy is...it was pointed out by our colleagues, we don't want to have a State of Illinois authorizing contraceptives to be passed out in the school facilities. Off grounds would be...that would be allowable, it's been done previously, but this is a...an area that we want to say, stay out of the schools, don't use this as a...we're going to use the schools for learning purposes...to teach these students, not to teach them these other...promiscuity in other areas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Fawell.

SENATOR FAWELL:

Okay. Now, the second portion of your...of your Amendment 4 is talking about performing abortion procedures or performing sterilization procedures. I...I presume you're talking about on school grounds? I mean, frankly, are there any schools in this state that are doing that now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

I don't...I don't think so but we certainly want to make sure that that doesn't happen and...and it's just possible when they're...when they're doing this that they can be counseled for abortions, abortion procedures and certainly with a health clinic...in fact, this legislation permits the continuation of the health clinic in the school, so if there's going to be a health clinic there, we want to make sure there's not abortion procedures or advocacy for abortions within the school facility.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Okay. Now, the...the one problem I have with this...Doctor Poshard made a...made a point that he would not object to teaching sex education in the schools, and, of course, we have a law on the books right now talking about AIDS and how to prevent AIDS; and if you remember, in the Education Committee there was a question, how do we talk about AIDS, how do we talk about the prevention of AIDS without talking about condoms?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Wait, are we talking about AIDS or abortion? I'm a little confused now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, let me...let me defer that question to Senator Kelly. Senator Kelly.

SENATOR KELLY:

This...this legislation would not prevent the discussion of abortion procedures of...the other procedures whether it be AIDS or something else. There's nothing here that would prevent a discussion of the subject matter. We're not trying to limit or hold back the schools from...from teaching sex education or AIDS education or anything else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, on your point of order.

SENATOR D'ARCO:

Well, right...the bill is about abortion then, right? It's not about AIDS?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR D'ARCO:

What time is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

I'm...I'm...I'm...I'm not trying to hold up these...these are...really, I'm...I'm trying to figure out where you're coming from. I mean, I...we're...we're...we've got two bills that are contradictory if you're saying that you can't speak about sex education or you can't talk about AIDS or you can't talk about contraceptives and then we say, but you got to, and so...all right, if what you're really saying is, don't talk or don't perform abortions, don't perform sterilization and don't...don't hand out contraceptives in school, and that's basically what you're saying, I don't see why anybody would be against the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator Kelly may close. Senator Kelly.

END OF REEL

REEL #4

SENATOR KELLY:

Thank you, ...Mr. President. I, first of all, want to mention to Senator Smith that there was thirty-one votes that went up on the board for Senate Bill 1584, and I was one of those thirty-one who...who did care about feeding...Senator Smith, do you hear that? You had a bill that just passed here with thirty-one votes, Senate Bill 1584. There were thirty-one votes on that bill and I was one of them that stood with you on that. Okay. Well, I just want you to know that I...I am concerned about...about unborn children and about the mothers of...who are pregnant...or prospective mothers who are pregnant and I do stand with you on these issues. So it's not just a random thing that you can just say that everybody that's for this is against feeding people, but I want to compliment Senator Smith and I also want to compliment Senator Newhouse for pointing out that there are a tremendous amount of deficiencies in the...in certain areas where we have to get better education for children, where we have to get jobs where there are not jobs, where we have to get help for the elderly, a lot has to be done. I would just ask the support here, I know that Senator Berman had pointed out about the parents. My concern is that a lot of parents are going to sign off and give their permission, a lot of them have a difficulty because they don't have a job or for what other reason their family doesn't have income, they're not going to be giving a problem. I think it would be just too easy for parents to sign...to sign these forms to authorize their children to participate in these programs. This legislation is supported by the Illinois Right-to-Life Coalition, Catholic Conference, the Illinois Federation for Life,

a number of other groups and organizations. I...I concur with Senator Poshard and certainly my hyphenated sponsor, Senator Hudson, who really feel that this is a policy which is being set within our state to allow these contraceptives to be dispensed. We don't want to begin...we don't want to allow that to continue. It may be three schools or a few schools today, but we all know, it starts off small and it gets bigger. I would just ask for your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Kelly, does the Chair presume that you want a concurrence vote on both amendments? Senator Kelly.

SENATOR KELLY:

Yes, I...I would say we will move on both concurrence on Amendment...House Amendment No. 1 and House Amendment No. 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate concur with House Amendments 1 and 4 to Senate Bill 63. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 18, 2 voting Present. The Senate does not concur with House Amendments 1 and 4 and the Secretary shall so inform the House. Senator Kelly. Okay. Senator Luft, do you really wish to proceed? Okay. On page 20 is Senate Bill 1206, Madam Secretary, 1-2-0-6. (Machine cut-off)...Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move to nonconcur on House Amendment 2 and 7 to Senate Bill 1206.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Luft has moved to nonconcur with House Amendments 2 and 7 to Senate Bill 1206. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House.

Senator Friedland, for what purpose do you arise?

SENATOR FRIEDLAND:

Thank you, Mr. President. I'd like to be shown as a hyphenated sponsor of House Bill 2755.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Let's...let's...let's just hold those, I think we're going to have an avalanche here in a second. Resolutions,...Madam Secretary.

SECRETARY:

Senate Resolution 1112 offered by Senators Smith, President Rock and all members.

Senate Resolution...pardon me, that's a congratulatory resolution.

Senate Resolution 1113 offered by Senator Lechowicz, it's a death resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY:

Senate Resolution 1114 offered by Senator Geo-Karis, it is substantive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules. I'm sorry, Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

...Mr. President, on Senate...Resolution, what was...1114 was that? I had asked the...the President of the Senate for...to...right to suspend the rules and he gave me the right, and the reason I'm asking for a motion to suspend the rules is this relates to the possible closing of Great Lakes in Fort Sheraton which affects Cook County and all the other collar counties and jobs. I'd like to move to suspend the rules for immediate consideration on 1114.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right. Senator Geo-Karis has moved to suspend the rules for the immediate consideration and adop-

tion of Senate Resolution 1114. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Geo-Karis now moves the adoption of Senate Resolution 1114. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

You want to...you want to explain this, it might lose? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, this resolution implores Congress to stop the closing of Great Lakes Naval Base in Fort Sheraton because we have about thirty thousand personnel from the...from the collar counties in addition to the military jobs, and Illinois only has about seven military installations at the most with twenty...with twelve million population; Texas has twenty-six with twelve million population. I don't think it's fair to Illinois and I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Geo-Karis has moved the adoption of Resolution 1114. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 1114 is adopted. Further resolutions?

SECRETARY:

No further resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Madam Secretary. Message from the House.

SECRETARY:

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I'm directed to inform the Senate that the House of Representatives has passed bills of the following titles, in the passage of which I'm instructed to ask the concurrence of the Senate, to-wit:

House Bills 3537, 3695, 3780, 3789. Passed the House May 19th, 1988. John F. O'Brien, Clerk of the House.

A Message from the House by Mr. O'Brien, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives...has concurred with the Senate in the passage of a bill...following title, to-wit:

Senate Bill 209.

And I have a like Message on Senate Bill 566.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Resolutions.

SECRETARY:

Senate Joint Resolution 134.

(Secretary reads SJR 134)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the adjournment resolution, finally, which calls for us to return to Springfield next Tuesday, at the hour of noon, and I would move to suspend the rules for its immediate consideration and adoption and suggest to the members that we have effectively concluded our business. There is however some housekeeping business and I would suggest we get back to the Order of House Bills 1st so that those bills can be put into the process, and I would move to suspend the rules for the immediate consideration and adoption of Senate Joint resolution 134.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Senator Rock has moved for the...to suspend the rules for the immediate consideration and adoption of Senate Joint resolution 134. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock has now moved the adoption of Senate Joint Resolution 134. Those

in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Joint Resolution 134 is adopted. Madam Secretary, have there been any additions to the Resolutions Consent Calendar?

SECRETARY:

Senate Resolutions 1111, 1112 and 1113 have been added and there have been no objections filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll add Senate Resolutions 1113...1111, 1112, 1113. Senator Carroll has moved the adoption of the Resolutions Consent Calendar. Those in favor will indicate by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. All right. Senator Friedland had said...had sought leave of the Body to...to have his name added as a hyphenated cosponsor of House Bill 2755. Is leave granted? Leave is granted. So ordered. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, Mr. President, if I may, on House Bill 4037, if we could change the sponsorship. Currently Senator Smith is sponsoring, if we could change that to my name to Topinka with Senator Smith as the hyphenated joint sponsor. And, also, if you could add my name as a hyphenated joint sponsor to House Bill 3057, I would be very appreciative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Topinka has sought leave of the Body to add...I'm sorry, to have House Bills 4037 read Topinka-Smith. Is leave granted? Leave is granted. So ordered. Senator Topinka also asked leave to be...leave to...be hyphenated cosponsor of House Bill 3057. Is leave granted? Leave is granted. So ordered. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

(Machine cutoff)...President, I would like to make this announcement, if I may. On Tuesday, May 24th, there will be a meeting of the Joint Committee on Welfare Reform at ten-thirty in Room C-1 in the Stratton Building. I'm asking the following Senate members to please be present. Senator Kenneth Hall, Senator Richard H. Newhouse, Senator Frank D. Savickas, Senator Greg Zito, Senator David N. Barkhausen, Senator Laura Kent Donahue, Senator Robert A. Madigan, Senator Jack Schaffer and Senator Judy Baar Topinka. Thank you.  
PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further business? Senator Macdonald.

SENATOR MACDONALD:

Yes, Mr. President, I am listed as the chief sponsor of House Bill 4172. I would like to change sponsorship with Senator Donahue as the lead sponsor and with me as a hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald, would you restate that, please?

SENATOR MACDONALD:

Yes. I am the chief sponsor currently of House Bill 4172. I would like to have Senator Donahue as the lead sponsor and have me as a hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Senator Macdonald wishes to have House Bill 4172 read Donahue-Macdonald. Is that...4172. Leave granted? Leave is granted. So ordered. House bills 1st reading, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 12 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 812 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 1729, by Senator Macdonald.

(Secretary reads title of bill)

House Bill 2143 offered by Senator Jones.

(Secretary reads title of bill)

House Bill 3125 offered by Senator Welch.

(Secretary reads title of bill)

House Bill 3181, by Senator Barkhausen.

(Secretary reads title of bill)

House Bill 3221 offered by Senator Barkhausen.

(Secretary reads title of bill)

House Bill 3249, by Senator Karpziel.

(Secretary reads title of bill)

House Bill 3312, by Senator Schaffer.

(Secretary reads title of bill)

House Bill 3346, by Senator Schaffer.

(Secretary reads title of bill)

House Bill 3353, by Senator Topinka.

(Secretary reads title of bill)

...House Bill 3354, Senator Vadalabene.

(Secretary reads title of bill)

House Bill 3405, Senator Welch.

(Secretary reads title of bill)

House Bill 3420, Senator Woodyard.

(Secretary reads title of bill)

House Bill 3435 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 3447, by Senator Davidson.

(Secretary reads title of bill)

House Bill 3549, Senator J. J. Joyce.

(Secretary reads title of bill)

House Bill 3582<sup>✓</sup> offered by Senator Davidson.

(Secretary reads title of bill)

House Bill 3626, Senator Barkhausen.

(Secretary reads title of bill)

House Bill 3712, Senator Mahar.

(Secretary reads title of bill)

House Bill 3748, by Senator Woodyard.

(Secretary reads title of bill)

House Bill 3878, Senator J. J. Joyce.

(Secretary reads title of bill)

House Bill 3998, by Senator Karpziel.

(Secretary reads title of bill)

House Bill 4033, Senator Geo-Karis.

(Secretary reads title of bill)

House Bill 4052, by Senator Madigan.

(Secretary reads title of bill)

House Bill 4053, by Senator Madigan.

(Secretary reads title of bill)

House Bill 4096, by Senator Woodyard.

(Secretary reads title of bill)

House Bill 4127, by Senators Jones and DeAngelis.

(Secretary reads title of bill)

House Bill 4256 offered by Senator Netsch.

(Secretary reads title of bill)

House Bill 4269, by Senator Lechowicz.

(Secretary reads title of bill)

House Bill 4282.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Rules Committee. (Machine cutoff)...further business to come before the Senate? Senator Hall has moved that the Senate stand adjourned till next Tuesday, May the 24th, at the hour of noon. The Senate stands adjourned.

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