

85TH GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 5, 1987

PRESIDENT:

The hour of eleven 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 Father Frank O'Hara, St. Peter and Paul Catholic Church, Springfield, Illinois. Father.

FATHER FRANK O'HARA:

(Prayer given by Father Frank O'Hara)

PRESIDENT:

Thank you, Father. Reading of the Journal, Madam Secretary.

SECRETARY:

Senate Journal of Wednesday, October 21, 1987.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. 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.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move that the reading and approval of the Journals of Thursday, . . . October 22nd and Wednesday, November 4th, in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Vadalabene. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion car-

ries and it is so ordered. Messages from the House.

SECRETARY:

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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Joint Resolution 136. It is commendatory.

PRESIDENT:

Consent Calendar.

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 adopted the following joint resolution, in the adoption of which I'm instructed to ask...the concurrence of the Senate, to-wit:

House Joint Resolution 137. It's a death resolution.

PRESIDENT:

Consent Calendar.

SECRETARY:

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 refused to adopt the first...Conference Committee Report on House Bill 1038 and request a second Committee of Conference to consider the differences between the two Houses in regards to Amendments No. 1 and 2.

PRESIDENT:

Senator Poshard on the Message from the House with respect to House Bill 1038. Senator Poshard.

SENATOR POSHARD:

Mr. President, we would accede and ask for a second

Conference Committee to be...appointed on that.

PRESIDENT:

All right, Senator Poshard has moved that we accede to the request of the House that a second Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate does accede to the request of the House. Messages from the House.

SECRETARY:

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 adoption of the following joint resolution, to-wit:

Senate Joint Resolution 55.

Together with the attached amendments thereto, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to...to Senate Joint Resolution 59.

PRESIDENT:

Secretary's Desk. If I can have your attention, we have with us today, apparently, Channels 2, 3, 5, 7, 9, 17 and 20, all of whom are requesting leave of this Body to shoot some film. In addition, the Chicago Tribune and UPI would like to take some still photographs, I assume, without objection, leave is granted, gentlemen. Resolutions.

SECRETARY:

Senate Resolution 630 offered by President Rock and all members.

Senate Resolution 631 offered by President Rock and all members. They're both congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 632 offered by President Rock, Senator Philip and all members.

PRESIDENT:

With leave of the Body, Channel 19...I missed 19, I don't know how I did that, from Peoria, also wishes permission to tape. Without objection, leave is granted.

SECRETARY:

Senate Resolution 667 offered by Senators Topinka and all...and all members. And they're both death...resolutions.

PRESIDENT:

Consent Calendar. Senator Dunn, for what purpose do you arise, sir?

SENATOR RALPH DUNN:

Thank you...thank you, Mr. President. I'd like to move to discharge the Executive Committee from consideration of House Joint Resolution 133 and ask that it be immediately...by the Senate. I've talked to the chairman of the committee. It has to do with...it..it was kind of an agreed resolution in the House. It's House Joint Resolution 133. Both the chairman and the minority spokesman of Executive have okayed it, and I'd like to move for its immediate consideration.

PRESIDENT:

All right, Senator Dunn has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 133 for the purpose of its immediate consideration. Is there any discussion on the motion to discharge? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is discharged. Senator Dunn now seeks to suspend the rules for the immediate consideration of House Joint Resolution 133. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Dunn now

moves the adoption of House Joint Resolution 133. On the main question, Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. House Joint Resolution 133 memorializes Congress to end some discrimination in the admittance of women into the Air...into the National Guard and into the Army. We had a...one young lady in my district tried to get in with a GED and she found had she been a...a male that would have been fine, but having...being a woman, she wasn't admitted to the National Guard and this would seek to memorialize our Congress and the United States to change that...what it does, and I move its adoption.

PRESIDENT:

Discussion? Any discussion? If not, Senator Dunn has moved the adoption of House Joint Resolution 133. All in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Woodyard, for what purpose do you arise, sir?

SENATOR WOODYARD:

Thank you, Mr. President. On a point of personal privilege.

PRESIDENT:

State your point.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. I'm fortunate to have with me today, on my right, Professor Huang from Xian, China. I was fortunate enough to have been able to visit China the first two weeks of October and the professor and his colleagues were very gracious hosts to us over there. He is on the faculty of the Northwestern...or Northwest Polytechnic University which is a sister university to Eastern Illinois University, and I wish you would join with me in welcoming Professor Huang to Springfield today.

PRESIDENT:

Professor, welcome to Springfield. Senator Raica, for what purpose do you seek recognition, sir?

SENATOR RAICA:

Thank you, Mr. President. I will ask leave of the Body to be added as the hyphenated sponsor to Senate Bill 1548, with permission of the chief sponsor.

PRESIDENT:

All right, the gentleman seeks leave of the Body to be added as a cosponsor on Senate Bill 1548. Without objection, leave is granted. So ordered. Introduction of bills. Introduction of bills, Madam...

SECRETARY:

Senate Bill 1554 offered by Senator Jerome J. Joyce.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Resolutions.

SECRETARY:

Senate Resolution 668 offered by Senator Etheredge. It is congratulatory.

PRESIDENT:

Consent Calendar. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, thank you, Mr. President. I have the Veteran's Day suggested address and also the American Education Week address for November 15th...the 21st. I understand that Senator Hudson has the same addresses for the Republican members and I have the addresses for the Democratic members on this side and they are really going like hotcakes.

PRESIDENT:

Be sure to save one for Senator Jacobs, he's concerned. All right, ladies and gentlemen, if I can have your attention, we will, as we indicated yesterday, begin at the top.

We have, I think, thirty motions in writing that have been filed to override, to restore, to accept and to override recommendations. We will begin on page 15 on that order of business and move right through the Calendar. Then we will move to Senate bills 3rd reading, House bills 3rd reading, concurrence, nonconcurrence and Conference Committee Reports. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, the Republican Party calls for an immediate caucus.

PRESIDENT:

All right, there's been a request for a Republican Caucus immediately in Senator Philip's Office. That request is in order. Senator Topinka, for what purpose do you arise?

SENATOR TOPINKA:

Yes, if I may, please, add Senator Dudycz's name as a joint sponsor to Senate Bill 1548.

PRESIDENT:

All right, the lady seeks leave to add Senator Dudycz as a cosponsor of Senate Bill 1548. Without objection, leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

...thank you, Mr. President. There'll be a Democratic Caucus in Room 212 immediately.

PRESIDENT:

All right, the Democrats in 212 and the Republicans in Senator Philip's Office. Both Senator Philip and I are going to try to hold it to about thirty minutes. So, the Senate will stand in Recess till the call of the Chair. Figure about thirty minutes.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. The Chair will

assume that there is still no objection, that leave has been granted, for the gentlemen from the press to shoot some film from all those various...and so leave is granted. We will begin on page 15 on the Calendar. On the Order of Motions in Writing to Override Total Vetoes, there is a motion been filed with respect to House Bill 72, Senator Luft. No. House Bill 85, Senator Brookins. We are on page 15 on the Calendar on the Order of Motions in Writing to Override Total Vetoes. There's been a motion filed with respect, Madam Secretary, to House Bill 85. Read the motion.

SECRETARY:

I move that House Bill 85 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Brookins.

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This bill deals with veterans and allow them to finish out their scholarship once they have started. The veterans was told when this bill...or...or on this scholarship that they had nothing to worry about and that they have the four-year scholarship regardless. Once they dropped out of school, they found that that was not the truth. So, I'm asking that we override this veto of the Governor.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall House Bill 85 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed will vote Nay. I beg your pardon. Senator Fawell, all we ask is that you turn the light on. I can't...I can't guess here. It...it is now. It was not when I called for the question. Senator Fawell.

SENATOR FAWELL:

I'm...I'm sorry, Mr. President. I thought I had hit it soon enough. According to...will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he will yield, Senator Fawell.

SENATOR FAWELL:

According to our analysis, it says that this bill will give...preferential treatment to one set of students who have defaulted on their guaranteed student loans. Is...is...are we talking about...about veterans who have defaulted on guaranteed student loans but we're going to let them go back into school anyway? Is that what we're saying?

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Thank you. We're talking about Vietnam Veterans that have come out, that was maybe a little mixed up, that had problems and that they dropped out of school. Yes, I grant you that they may not have paid...their allotment...or their bill at that time, but the only way that they can go back if they sign and guarantee that they will pay their allotment. So, yes, we're giving preferential treatment and we're giving it to a...a group of people that I think that we really need to give it to.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Well, are we saying in effect that...that...I mean...does the Governor's veto say that all we're asking them to do is sign an agreement saying that they will pay the guaranteed loan and then we'll let them back in?

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

...I think you did ask me that again...say that again.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Does the Governor's veto merely say that we are asking them, sign this paper saying you will, eventually, pay for that guaranteed loan and then we'll let you back in school? Is that what...isn't that what the Governor is...is basically talking about? Sign a paper saying, when you eventually get out you will pay for the guaranteed loan, I mean, what's wrong with that? I...I...why...why...why do you...want to override that? Shouldn't...shouldn't they pay their loan back?

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Yes, they should pay their loan back but...what...what is happening is once you drop out of school and do not pay your loan, then you can't get readmitted to a school...the law reads that you can't be readmitted. So, what this bill would do is allow the Vietnam Veterans, other veterans to be re-admitted into the school. At present, they can't be re-admitted unless we pass this law, no matter what they sign or what they say.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

...President, Ladies and Gentlemen of the Senate, I strong...I stand in strong support of the override on this bill. Basically, if you recall, when this bill...originally passed, it was to give eligible veterans who have defaulted on their guaranteed student loan one additional semester of the Veteran Scholarship at an Illinois public college or university prior to termination of the award or must begin

repayment. It's an additional period of time that we're asking for on this piece of legislation. I remember quite vividly when this Senate addressed this issue and they were saying that we're going to give some treatment...special treatment for the...Vietnam Vets. We also brought into focus the perspective of the Vietnam Veterans' parade that was...that transpired in the City of Chicago and the strong bond and commitment that was established at that time between the Vietnam Vets and not only the members of this General Assembly but throughout the State of Illinois. This piece of legislation should be supported by everyone. It's truly deserved and I would strongly recommend an Aye vote.

PRESIDENT:

(Machine cutoff)...discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, may I ask a question of the sponsor, please?

PRESIDENT:

Sponsor indicates he'll yield, Senator Topinka.

SENATOR TOPINKA:

Yeah, if...if we do this, it would seemingly differentiate a group from other groups. What kind of a legal position will this put the state? I mean, will other groups, therefore, be able to challenge us that they are not getting equal treatment? And maybe one of our lawyers can answer that here on the Floor, I don't know...

PRESIDENT:

Senator Brookins.

SENATOR BROOKINS:

Maybe one of the lawyers will have to answer that. I don't know the answer to that.

PRESIDENT:

Senator Dunn, first lawyer to volunteer.

SENATOR TOM DUNN:

Thank you, Mr. President. I did not volunteer in that

line. I volunteered once and I wound up in Vietnam oddly enough, and I learned something from that lesson and I'll talk to you later, Senator, about your legal question. I rise in strong support of this bill. It's true, it does give a second chance but I think it's a...a group of citizens who have earned a second chance and I...urge a strong vote in favor of it.

PRESIDENT:

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I, too, stand in strong support of this override. I'm also a Vietnam Veteran and I...I can recall, just to add to what Senator Brookins mentioned, that veterans were told way back then that this was good for life or until they used a point equivalent of four calendar years. There was no time limit. That was told to us way back then. I think we should hold our commitments to our veterans.

PRESIDENT:

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As Senator Lechowicz so eloquently put, the parade that was held in the City of Chicago was probably one of the best show of support vote for Vietnam Veterans and a thankfulness for what they've done for the...for the area. The people that were there had severe problems and when they were met after the Vietnam War they were laughed at, they were joked about, and had we've done what we did last year with the parade and welcomed them in with open arms we wouldn't have had the problems that we do have today with a lot of these people, and I think what...which...what we should do is definitely what Senator Brookins has stated, override the Governor's veto and give these people a second

chance and let them...let them show that they are indeed the people that everyone believes that they are. Thank you.

PRESIDENT:

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

SENATOR BROOKINS:

With that eloquent speech, I need to say nothing.

PRESIDENT:

Question is, shall House Bill 85 pass. Those...the veto of the Governor to the contrary notwithstanding. 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 49 Ayes, 7 Nays, 1 voting Present. House Bill 85 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. We have a...another request. Mr. Burns, a photographer from the Kankakee Daily Journal, has requested permission to take some photographs. Without objection, leave is granted. 321, Senator Vadalabene. There's a motion filed, Madam Secretary, on the Order of Motions in Writing to Override Total Vetoes with respect to House Bill 321. Read the motion, please.

SECRETARY:

I move that House Bill 321 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Vadalabene.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. There is nothing really un-American about this proposal. The House overrid the...the bill 79 to 33. We should really be proud to have the tully monster in the State of Illi-

nois...this fossil. Other states come from...from other states come to Illinois to...to see about the tully monster and other countries. I think it's a great asset and I think it creates great interest amongst the students who will vote on this...proposition and I...ask for your favorable vote.

PRESIDENT:

Discussion? Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, yesterday I got a telephone call from a geologist, Ph.D. with our Northern Illinois...our Northeastern Illinois University who tells me that this monster...tully monster gregarium is particularly peculiar to the State of Illinois and he urged us to vote to override because he said Illinois is the only state that has had this...this tully monster...so to speak. So, I...not knowing exactly what it is but taking the word of a responsible geologist from the university, I ask for the override of this veto.

PRESIDENT:

Question is, shall House Bill 321 pass, the veto of the Governor to the contrary notwithstanding. 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 32 Ayes, 26 Nays, none voting Present. The motion fails. 327, Senator Woodyard. Madam Secretary, on the Order of Motions in Writing, there's a motion filed with respect to House Bill 327. Read the motion, please.

SECRETARY:

I move that House Bill 327 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Woodyard.

PRESIDENT:

AB 401  
override

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and members of the Senate. Senate Bill...or...I'm sorry, House Bill 327 was introduced at the request of a state's attorney in our district to clarify the inconsistency of...a law in present existence, and what the bill did was to...prohibit the awarding of good time conduct for people who have been sentenced to a county jail under a mandatory sentence. I, quite frankly, don't understand the Governor's Veto Message or why it was vetoed. We certainly did not increase penalties or change anything, we just said that if we, here in the General Assembly, impose sentences...mandatory sentences, then those people ought to have to serve at least the minimum mandatory sentence and so, I would encourage...your vote to...override the Governor's veto.

PRESIDENT:

Is there any discussion? Discussion? If not, the question is, shall House Bill 327 pass, the veto of the Governor to the contrary notwithstanding. 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 57 Ayes, no Nays, none voting Present. House Bill 327 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 401, Senator Netsch. Madam Secretary, on the Order of Motions in Writing, there's a motion filed with respect to House Bill 401. Read the motion, please.

SECRETARY:

I move that House Bill 401 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 401 is the bill that relates to the Citizens Utility Board. As many of you remember when we, the General Assembly, created CUB we provided that its...access to the public would be in part through mailings in utility bills. That has been invalidated by a court and there...CUB was therefore left with, really, no direct way of access to the public. We attempted initially when the bill was introduced to meet the court decision but a number of our colleagues here felt that we still were overstepping the bounds of the court decision, and so this alternative was suggested, really, by Senator Karpziel and what it provides is that in mailings of at least fifty thousand or more, a CUB insert may be included. It does not mandate it. It does not say that it will be included in every such mailing, but it does make that a permissible activity. There are a number of safeguards including the fact that all incremental costs must be paid by CUB, that the mailing cannot exceed a certain weight or CUB will be responsible for it...for the extra costs, the content is to be approved by the Commerce Commission and so on and so on. It is the only option that anyone was able to come up with at the time and I think it is a reasonable one. There should be no cost to the state or virtually none, and if...you are receiving a letter from the Secretary of State saying that it's going to cost a million dollars, we have never been allowed to see to what that is supposed to be attributed. There is no basis, in fact, for that. It is...it is different from any other access that might be provided anyone else. This is not the same as opening the door to every private agency that might want to use state mailings. We created CUB. We have a responsibility to see that its access is made available. I think the Governor's veto was absolutely wrong

and I would urge an override.

PRESIDENT:

Discussion? Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, we...we created CUB to try and curb some of the excesses we felt were committed by the utility companies. I support CUB. I contribute to it...yearly. I think this is a sensible bill. I do not think the cost that may have been stated by some of the aides of the administration is correct. I think the CUB agency is going to bear most of the cost and the cost to the state will be very minimal, and I rise to support the bill because I'm a little tired of the public utility companies running amok in raising rates constantly.

PRESIDENT:

Number of members that wish to...indicated they wish to be heard on this matter. Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT:

Sponsor indicates she will yield, Senator Davidson.

SENATOR DAVIDSON:

Senator Netsch, I understand there's a prohibition on...on Federal law, et cetera where this enclosure could not be in mailings which...in those departments such as the Department of Revenue and under the Governor's Office. Is that correct or incorrect?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

The...the bill itself does not...contain that language. What we did, Senator Davidson, when the bill was being passed last spring, the question was raised, particularly with reference to the Bureau of Employment Security. They called

attention to the fact that it would not be...it would be a violation of Federal regulations and/or law if they were to include a mailing in their...an insert in their regular mailing, and I made it absolutely clear that there would be no desire at all...in fact, we would make it very clear that in any case where it was a violation of Federal rules it would not be done.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Well, a follow-up question. By that logic what you're saying then that only really two departments, Department of Revenue and Secretary of State's Office which have fifty thousand or more normal mailings, I don't think any other department in the...other than possible Registration and Education dealing with licensure have such mailing. Are you really saying in...in English I can understand that this would only apply to Department of Revenue's mailing which sends out to all the taxpayers their forms, et cetera and to the Secretary of State in their license renewal?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

No, I don't believe it would be limited to just those two, Senator Davidson. The...the CUB people have been in communication with a number of state agencies to...to call attention to the bill and ask them whether they might have...be affected by it and they simply have not received responses from everyone as yet, but our belief is that there would be more certainly than those two that would be affected.

PRESIDENT:

Further discussion? Senator Ralph Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President. I'd like...a question of the sponsor.

PRESIDENT:

Indicates she will yield. Senator Dunn.

SENATOR RALPH DUNN:

Senator Netsch, how often could CUB do this under your bill? I don't...I didn't follow it very close and I wondered could they do it every month or every mailing that goes out?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

No. I'm looking for the exact language. It's once...hold on just a second, Senator Dunn. No, in Subsection A, "A mailing means a communication by a state agency that is sent through the United States Postal Service to more than fifty thousand persons during a twelve-month period."

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

I...I thought the way that read, Senator Netsch, that that's a mailing of...fifty thousand during the calendar year by any agency, but it didn't say how many times a year. Is that right or not right?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Yeah, I'm sorry, you're right. I...I heard your question differently. I think the...the major constraint on the number of times is the fact that it costs CUB money every time they do this and I think you will find if you would talk to the utilities, who were the ones that...in whose mailings the enclosures went previously, that there was no suggestion that the...it had been abused or overused because CUB must pay for the insert itself. It must pay any incremental costs

that are associated with it and that puts a very major constraint on the number of times that it can be effectively used.

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

Thank you. To the bill. I...I think this is probably a bad bill. I think the Governor once in a while does the right thing and I think he did right when he vetoed this bill. I'd urge we support the Governor.

PRESIDENT:

Further discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. A question of the sponsor and to make a comment.

PRESIDENT:

Indicates she will...indicates she will yield, Senator Weaver.

SENATOR WEAVER:

Senator Netsch, I've had some conversation with members of CUB and there was maybe some indication that maybe next semester we can come back and tighten this up to maybe let CUB in on some of the biggest mailings of the state, four or five...three or four, five times a year. Would you be amenable to that? There is an awful lot of confusion in every agency, whether it applies to, say, foundations, alumni association, ticket offices, et cetera as to...and just to clarify it, would it be your intent to maybe next semester come back and try to determine which mailings would be most beneficial to CUB and not interfere with the operation of State Government?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Yes, I...Senator Weaver, you just gave away our respective background. You talked about next semester. That's language I understand as well. The answer is a very firm yes. CUB has already attempted to indicate that it...it has no desire to impose on anyone. All it wants is some way to reach the public because the court has denied it the way that we had originally provided. They will be reasonable. I will see that they are reasonable and I think if there are any...if there's any language limitation, we would be more than happy to consider it.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Well, with that assurance, I'm...I intend to support it because I think we created...we should give them some means of support and knowing your good intentions and I think CUB feels the same way that they...they don't want to get into every mailing but we can identify certain annual mailings that might be beneficial to all concerned.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Well, I can certainly agree that CUB ought to be given a means of support. I'm just not convinced that this is the proper means to do that. I don't think there's any doubt that if we had our druthers what I'd rather do, I know Senator Schaffer has already suggested it to CUB, is create a checkoff. It's raised money for other folks and there can't be a worthier cause than creating a checkoff for something like CUB. By using this particular approach, I think we do a disservice to our government agencies. CUB is not a state agency even though it was created by the state. It is a voluntary association of individuals, and I think, Senator

Netsch, to address the specific concerns of, let's take the Secretary of State, what it is is that some of our elderly citizens who receive too much mail already from government agencies are going to get a mailing sometime in the future and in that mailing will be driver's license renewal along with this promotion for CUB. It is very possible that that elderly citizen or somebody else who's a slight bit disoriented can take that check, send it off to CUB, months later be driving down the road to find that their driver's license didn't get renewed. Those kinds of problems aren't accounted for anywhere in this bill. The cost which you say will be covered by CUB will not be covered when that happens. It will create confusion. We, in our legislative offices, are going to hear about it and I just suggest to you that this is not a very good way to solve the...the problem. Instead, you are, as I said, confusing the role of government with the role of a voluntary association. It opens up the door to the rest of the folks on down the road who'd like to do the same. We ought to vote No on this attempt to override.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, a couple of questions and then, if I could, a comment. I know the bill refers to CUB covering the incremental costs. Now it occurs to me that if I were, for instance, the Secretary of State and CUB asked me to include their solicitation letter and...envelope in, for instance, the driver's licenses renewal forms; in other words, when they send each of us a form saying you have to take a test and it's going to cost X amount of money, for that to arrive with that form and no explanation, I think, would be very confusing to people, they'd wonder what, you know, wait...wait a minute, this is a state mailing, what is this

doing here? I would think the Secretary of State would probably want to include some sort of explanation as to why this solicitation for CUB is enclosed with the mailing. The other question, which Senator Kustra got to, is that there...there undoubtedly with eleven million people in this great state will be a certain amount of confusion, and I...I don't think any of us who maintain legislative offices have not had the experience of...seniors and others who come in with our sometimes overlycomplicated state forms and said, what in the world is this? What do I do? Why did I get it? And I know that the various departments are going to be getting letters saying, do I have to send CUB money to get my driver's licenses or my license plates? And...and that, I imagine, particularly in the mass mailings that I suspect are contemplated after a trial period, could generate a lot of hours, perhaps even additional employees. Are those kinds of expenditures going to be reimbursed to the state? That's a question.

PRESIDENT:

Question of the sponsor. She indicates she'll yield. Senator Netsch.

SENATOR NETSCH:

I'm not sure I heard which expenses...could you ask...Senator Rock, could he repeat the question? I didn't hear the...

PRESIDENT:

All right, ladies and gentlemen, let me just suggest, there are ten additional people who have indicated they wish to be heard and I might say, if I can be granted an editorial comment, it is because of all that up there. Senator Schaffer.

SENATOR SCHAFFER:

None of them are turned on now, Mr. President, I'm happy to report to you. I think they're waiting for another issue

that may actually be more important to other people. My question simply was, I would think the Secretary of State or some agency if they include a CUB mailing would probably want to create...include also an explanation as to why the CUB mailing was included with their particular mailing. In addition, I would expect there would be confusion or questions caused among our eleven million constituents about, do I have to send this check to CUB to get my driver's license? Not that the form wouldn't be clear or there'd be any intentional...any duplicity on part of CUB to kind of convince people they had to do that, but just normally we get questions, but this...those kind of expenses could add up to a considerable number of dollars. Will those be covered by CUB?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Well, I think your premise is...is not really accurate, Senator Schaffer. For one thing, bear in mind that the kind of insert that is authorized in House Bill 401 is not the same as that that was authorized in our previous law, for one thing. It is an informational insert only, the content of which must be approved by the Commerce Commission but it is information only. If you want to do...join, you may call CUB at XYZ and that in itself should not cause the kind of confusion that you are talking about. If there are questions...if someone sends their driver's license renewal in to CUB, which I think is not too likely to happen but if it does...this is a quasi-public agency and they, obviously, are going to respond immediately to make sure that is it forwarded to the right place so someone is not going to be penalized in that sense.

PRESIDENT:

Senator Schaffer, would you like to restate your ques-

tion?

SENATOR SCHAFFER:

Mr. President, I think I have an answer. I think I understand the situation, but be that as it may. If I can, on the bill. I was one of the original sponsors of CUB. I can recall when the original proponents came down from Wisconsin and explained how it had worked there and I share a border with Wisconsin and talked to some of my friends across the line and got a very good report and was, frankly, an early supporter and someone who has felt for a long time that the consumers very definitely needed to be aggressively represented in the Commerce Commission hearings and the processes that lead up to the setting of utility rates. And I...I think, frankly, on...on most things I've been supportive of the kinds of things that would keep a...a strong consumer advocate in the Commerce Commission. Having said all that, I think this is, basically, a stupid idea. I think it's going to create a lot of confusion. I don't think it's going to generate the number of dollars that CUB hopes it will. When they visited me, they told me that this court decision had cost them between five and six hundred thousand dollars a year, which to a small but important agency is a lot of money. The Governor in his Veto Message felt that this would cost ten million dollars. Well, I think his premise...or the premise of the people that advised him was if they put a piece of CUB mail in every envelope the state mails, it would cost ten million. Well, we all know that's goofy, but realistically, we could be talking about two or three million dollars ostensibly...ostensibly to raise five or six hundred thousand dollars. I would be prepared to and publicly state that I would vote to give them the check for five or six hundred thousand dollars a year to avoid the expenditure of two to three million dollars...and I understand they want to be...independent. I have suggested to

them that the checkoff on the State Income Tax is a mechanism that we have used for other worthy cause...causes; frankly, most of which have far less, if you will, financial sex appeal as fighting the utilities. My guess is if the Nongame Fund can draw two to three hundred thousand dollars a year on the checkoff, that CUB could draw three or four times that amount without having to cause any confusion and without really disrupting anything. I think those are alternatives. I think that it's a worthy cause. We want to support it. I'd rather write them a check or give them the checkoff. I also would suggest to you that this whole process may be thwarted by legal interpretations and they may find themselves in another court and find themselves up against the same type of situation that they had when they lost the court fight on the utility bills. I think for those of us who really want to see CUB off to a firm financial footing and kept on one permanently, to...to pass this bill is to probably thwart them for another six months to a year. More realistically, I would think we should come back early in January with a proposal for interim financing and then pass the checkoff bill next year. That way they could...they could proceed without, if you will, any possibility of being shut down and I think the votes are here to do that. I...I hate to say this, Senator, but I think CUB has got some bad advice on this bill and that a year or two from now the proposal I've just made is going to sound real good to the people who really agree with me that CUB should be kept viable, 'cause I don't think this is going to work and I think the thing that will suffer will be the viability of an effective consumer representation in front of the Commerce Commission; 'cause I think when they fool around on this rather unworkable plan instead of going forward with one that can fly, they're going to regret it.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise in strong support of the override of this Senate Bill 401...or House Bill 401. I think that we have devised a very reasonable compromise for the Citizens' Utility Board which, as we have stated over and over, is a creation of the General Assembly. This is not an unprecedented move in the department. We know that...that we send out organ donor information, circuit breaker information, DCCA sends out number...numbers for small businesses, there are a number of inserts in a number of...departments' mailings to the people of this state. I think it is essential for this Citizens' Utility Board to be able to reach potential members so that they can be affected and...effective in...in their membership drive. We've agonized and pondered over this particular bill for a long time. A number of us were...were opposed to having the membership information put into Commonwealth Edison or any other utility bills. We think that that's the tantamount to advertising for...an...opposing viewpoint and we thought that this was a very good compromise. I have not changed my mind on that. I would have no objection to the checkoff concept, but until that time becomes a reality, I think that this is a very good compromise.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. Unfortunately, I believe...unfortunately, I believe that this issue is coming down to...if you oppose this bill, you're opposed to CUB and...and those of us who did not support CUB when it was created have...have learned to work with them and...and for them and trying to assist them in any way we possibly can and I...the...the hundreds of letters that I've

gotten, I think, are...are putting me against CUB because I oppose this concept and I guess most of my opposition has already been expressed on this Floor. Senator Netsch, you know I...the...one of the concerns that I had that perhaps hasn't been mentioned yet is...obviously the Commerce Commission approves every piece of material that goes in the mailing, and I understand that. There is a somewhat adversarial relationship, I think, between the Commerce Commission and CUB and maybe that's an overstatement but I think there is some problem there and I...and I question whether just how the Commerce Commission and what they're going to approve for CUB and what they're not. They may not, in fact, get what they want in the mailing to start with because the commission may, in fact, oppose it. On the other hand, it is very clear and very possible that they might approve something that...that goes into those mailings that...that leads senior citizens to believe that that, in fact, is a bill, and I think the very people that once again we're trying to help, and we are trying to help, will be hindered by this legislation. I would support some of the comments made by my colleagues on this side of the aisle, especially that we ought to put this on the shelf, come back and do it right and...and help CUB with...with the task that they have before them.

PRESIDENT:

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

SENATOR NETSCH:

Thank you, Mr. President. Briefly, I think we owe it to ourselves and to our constituents to make sure that CUB has access to the public in the way that we originally attempted to provide, this is it.

PRESIDENT:

Question is, shall House Bill 401 pass, the veto of the

Governor to the contrary notwithstanding. 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 49 Ayes, 9 Nays, none voting Present. House Bill 401 having received the required constitutional majority...having...received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 410, Senator Friedland. Madam Secretary, on the Order of Motions in Writing, there's a motion with respect to House Bill 410. Read the motion, please.

SECRETARY:

I move that House Bill 410 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Friedland.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This motion would override the Governor's veto of House Bill 410 to affect the handful of small school districts throughout the state that have merged and would have...current law, as you know, penalizes districts in counties where assessors are efficient and the tax money is received by school districts before June 30th, and this would correct those inequities. I'd urge your favorable consideration on...

PRESIDENT:

Any discussion? Any discussion? Senator Berman.

SENATOR BERMAN:

Would the sponsor yield?

PRESIDENT:

Indicates he'll yield, Senator Berman.

SENATOR BERMAN:

As my information shows from staff,...there are three school districts, Lewistown that would get fifteen thousand dollars...represented by Senator Donahue; the Farmington School District for two hundred and seventeen thousand dollars, by Senator Luft and forty thousand seven hundred dollars to Princeton School District represented by Senator Schuneman. Are...is that the three districts or are there more?

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

I am aware of those districts, Senator Berman. There's additionally one in Senator Schaffer's area and my area, three elementary districts that had merged...consolidated into one district, so that's...there's one other area that I'm aware of.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Well, let...let me comment on the bill. In a few minutes we're going to be asked to address the needs of nine hundred and ninety-seven school districts. Here, we are being asked to address the needs of half a dozen and I'm not sure why we ought to single these out and in some cases single them out for substantial money. Two hundred and seventeen thousand dollars to...to Farmington School District, regardless of who their legislator is, is big bucks to Farmington and I just think that I would like to suggest that we hold the...the roll call on 410 until we see what we're doing for every other school district after 483, and I'm going to vote Present at this time.

PRESIDENT:

Further discussion? (Machine cutoff)...Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the House. This bill would merely provide equitable treatment for those school districts that we all urged to consolidate in...in the years past, and the ones that have gone ahead and done it now ought to be treated...equitably and this would do it and I'd urge your favorable consideration.

PRESIDENT:

Question is, shall House Bill 410 pass, the veto of the Governor to the contrary notwithstanding. 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 34 Ayes, 2 Nays, 19 voting Present and the motion fails. 486, Senator Poshard. Madam Secretary, on the Order of Motions in Writing, there's a motion with respect to House Bill 486. Read the motion, please.

SECRETARY:

I move that House Bill 486 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Poshard.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 486 would require school districts to develop plans for gifted education to be implemented in 1991-92, but it makes the implementation of these plans dependent on sufficient funding. If we appropriate the money to the schools, if we have sufficient appropriations in the General Assembly to allow the schools to accomplish this, only then would this plan go into effect. If we do not appropriate money for it, they do...they are not required to do it. These are children who oftentimes are left out of the mainstream of the public school system and need extra curric-

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ular over and above kinds of academic challenges. So, I would hope that we could override this veto. It was overridden in the House 89 to 24 and passed out of here originally 58 to nothing. Would appreciate your support.

PRESIDENT:

Any discussion? Discussion? If not, the question is, shall House Bill 486 pass, the veto of the Governor to the contrary notwithstanding. 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 49 Ayes, 5 Nays, 2 voting Present. House Bill 486 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 510, Senator Marovitz. Madam Secretary, on the Order of Motions in Writing, there's a motion with respect to House Bill 510. Read the motion, please.

SECRETARY:

I move that House Bill 510 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that we override the veto of the Governor on House Bill 510. I will be very brief because this is an issue that's been before this Body many, many times and we have a lot more important things to get to. This is the videotaping of...testimony of child victims of sexual assault, videotape recording, closed circuit television, cross-examination is not allowed at the time of videotaping but may be...the child may be recalled and used at...the cross-examination at the time of trial. It was for that

reason, the cross-examination reason, that the Governor vetoed the bill. What has happened in other jurisdictions is that when the defendant sees the videotape, there are pleas entered which saves the trauma of the child of additional testimony and saves the court additional time from hearing the cases. I would be forthright in telling this Body that a similar bill...similar law was struck down in Texas...criminal appeals court struck down that law. That is not an Illinois court. It is not valid in...in Illinois. I think this is a good bill for kids, for the...children who are victims of criminal sexual assault, would minimize the amount of trauma on these kids. We've passed this bill several times before. I solicit your Aye vote.

PRESIDENT:

Discussion? Any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this is the debate that we have had before and I...I don't think there's any difference of opinion on one side or the other as to the goal, which is to minimize the trauma of victims of child abuse; but the point has been made before and I think...I think should be made again that what we accomplish here is...is not necessarily, through this legislation, going to...going to in any way reduce the trauma that a child suffers in having to testify in a case of this kind because the bill does not require or permit...cross-examination at the time of...of the videotaping but does then permit or require the child to be called at trial, and in that sense, rather than being...rather than having to testify once, the child can potentially have to testify twice and in that way could be put through...through more trauma and...and more of a burden than would be the case otherwise. So, for...for that reason and also for the reason that was actually mentioned by Senator Marovitz, which is the concern about the right to...to

confront one's accusers and have the right to cross-examination which was the basis for the recent court decision in Texas, I believe that the Governor's veto should be upheld and that we should oppose the motion to override.

PRESIDENT:

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Everything the prior speaker has...has said is...is true if the case goes to trial, but the reason this is an important bill for prosecutors is that as a practical matter in many of these cases where small children are the victims, the defendant holds on and holds on even in the evidence of overwhelming evidence hoping to force the case to trial and hoping that the victim will be too scared or that the parents will not want the child to undergo the trauma of testifying in open court and, therefore, some of these defendants get off scot-free when the cases have to be dismissed. What this will give the prosecutors is a tool to allow the videotaping which can then be shown to the defendant by his attorney to show the kind of a case that there is against him and, hopefully, bring some more of these people to justice and that's why I would urge an Aye vote.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I'm a former assistant prosecutor myself. I would think ordinarily this bill would be good. I know it's...the model of it was...Texas bill was stricken down by the appellate court of Texas. What worries me is that if we do allow this videotape testimony, the child can still be cross-examined in the trial. I don't think we're helping the child any and I think we're probably increasing the trauma of the child and, therefore, I regretfully rise to oppose the

override of the veto.

PRESIDENT:

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

SENATOR MAROVITZ:

Thank you, very much, Mr. President. Where this similar law is in effect and has been in effect, the statistics show that there has been a great increase in plea bargaining and guilty pleas by the defendant as a result of seeing the videotaped testimony of the child; and I think the question for all of this Body is very clear, if we're concerned about prosecuting those who commit criminal sexual assault against children, if we're concerned about the...victims of...of criminal sexual assault, the children, then we should be voting Aye. If we are primarily concerned about the perpetrators of criminal sexual assault, then you should be voting No. That's your clear choice. I solicit your Aye vote.

PRESIDENT:

Question is, shall House Bill 510 pass, the veto of the...Governor to the contrary notwithstanding. 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 36 Ayes, 16 Nays, 6 voting Present. House Bill 510 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 700, Senator O'Daniel. Madam Secretary, on the Order of Motions in Writing, bottom of page 15, is House Bill 700. Read the motion, please.

SECRETARY:

I move that House Bill 700 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator O'Daniel.

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President and members of the Senate, House Bill 700 amends the Illinois Farm Development Act. It creates a center for postharvest technology in Peoria to promote the use of agricultural products for foods, fuel, pharmaceuticals, chemicals, materials and other evaluated products to promote biotechnology and genetic engineering, to promote cooperative research into postharvest technology and to encourage the location of postharvest industries in central Illinois. I believe this legislation should be put into place and, hopefully, as the economy improves, we can fund it in the future and I think we must be concerned about more diversification in agriculture.

PRESIDENT:

Discussion? Discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Rigney.

SENATOR RIGNEY:

What could be done at a center like this that cannot be done...the Department of...or the University of Illinois College of Agriculture?

PRESIDENT:

Senator O'Daniel.

SENATOR O'DANIEL:

Well, this will be working in conjunction with the University of Illinois and also with Southern...Southern Illinois University and also with the US Department of Agriculture. We already have a facility located at this...

PRESIDENT:

Further discussion? Further discussion? If not, the

question is, shall House Bill 700 pass, the veto of the Governor to the contrary notwithstanding. 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 33 Ayes, 26 Nays, none voting Present and the motion fails. Top of page 16, 848, Senator Collins. Madam Secretary, on the Order of Motions in Writing is a motion with respect to House Bill 848. Read the motion, please.

SECRETARY:

I move that House Bill 848 do pass, the veto of the Governor to the contrary notwithstanding. Offered by Senator Collins.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. House Bill...848 simply amends the Mental Health Code which requires the Department of Mental Health and Developmental Disability to employ and maintain qualified staff and also to establish workload standards by which one can evaluate the performance of those persons that they employ. I can't for...clearly understand the rationale behind the Governor's veto. I'm sure that it was because whatever message that was given to him by the staff that work on the legislation for veto purposes clearly did not understand the intent and purpose of the bill. According to the Governor's Message that the...the bill has been vetoed because the cost was undetermined and assuming that there would be some astronomical cost figure involved with this bill. That is not the case. I think all of us...this year, had made some real commitments to improving the overall quality of our mental health system this year...many of us led that fight, including Senator Schaffer, I think, on the...the other side, took a very

aggressive role in making sure that this year that we do something to try and improve the quality of our mental health institutions; and that is critical because we are now losing Federal dollars, some of our centers have already been decertified by the Federal Government which means that we lose Federal dollars and others...there are two other centers now that's on probation. There's no doubt about it, for the past ten years, our mental health institutions in the State of Illinois have been constantly declining in quality. Many people go to visit those centers can't tell the staff from the patients and that is a reality, and that is something that we have to and we have a responsibility to try and do something about. This legislation is just one step forward in doing so. It doesn't matter whether we hire ten or fifteen employees, this bill does not direct the department to go out and hire employees; it says if you hire and when you hire, you must hire qualified personnel and then there must be some standards, some criteria by which you can measure the performance of that personnel. That's all this bill does. I would ask for an affirmative vote and I would be happy to answer any questions.

PRESIDENT:

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I may ask a question of the sponsor...yes.

PRESIDENT:

Question...indicates she'll yield, Senator Topinka.

SENATOR TOPINKA:

Yeah, right, I...I admire the work you have done on this, you know, Senator Collins, and also the good work that Representative McGann has done on this and I don't necessarily disallow that you are coming from a good direction because what you cite is in essence true; however, I seem to have overlooked hearing how much the program would cost because

our staff analysis does say there's a substantial cost.

PRESIDENT:

Is that a question? I'm sorry.

SENATOR TOPINKA:

What is the cost?

PRESIDENT:

I...beg your pardon. Senator Collins.

SENATOR COLLINS:

The...the reason I'm sure that the...that...that the staff analysis or the staff says undetermined because there is no cost, because this bill says that if you hire someone that that person must be qualified, but it did not dictate that you should hire anyone or how many persons you should hire. So, therefore, there is no cost.

PRESIDENT:

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr...Mr. President. I rise in strong support of this override. I have visited the mental health facilities and I know that we have to hire people that are...competent and people that can do the job. This is all this bill asks for, that we hire people that have some compassion, that is willing to do the job and want to do the job. So, I rise in support of this bill.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, you know, obviously, I have great concern for having quality people in the mental hospitals, but to pass a bill saying to the department you have to hire X type of employees and then give them eighty percent of the money necessary to attract those kind of employees is...well, certainly not consistent with logical thought. The bottom line in the mental health employees, and I don't think anybody can

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writing

really argue with this logic, is that if you pay decent wages, you'll get decent people. The problem, if you want better people in the mental hospitals as our employees, pay them better wages, don't pass artificial laws with no money in them.

PRESIDENT:

Further discussion? Further...if not, Senator Collins, you wish to close?

SENATOR COLLINS:

I still say that no matter what, the department...and it was cited in the Governor's task force when they did the investigation that the department lacked any clear-cut standards for performance. No matter whether you have five people or ten people, there still must be some criterion by which one can measure the performance of the staff there. That's all this bill is primarily doing and I would ask for an affirmative vote.

PRESIDENT:

Question is, shall House Bill 848 pass, the veto of the Governor to the contrary notwithstanding. 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? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 22 Nays, 3 voting Present and the motion fails. Senator Berman, 934. Motions in writing, Madam Secretary, there's a motion with respect to House Bill 934. Read the motion, please.

SECRETARY:

I move that House Bill 934 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President,...Ladies and Gentlemen of the Senate. House Bill 934 is a bill that passed out of this Body by a vote of 51 to zero. The Governor vetoed it on the same day that he vetoed a...a whole slew of others because the cost of this bill is seventeen thousand five hundred dollars. Let me repeat that. The cost of this bill is seventeen thousand five hundred dollars. That's both whole-sale and retail, Senator DeAngelis. What the bill does and why it received a unanimous vote in this Body is that it says that the Illinois Department of Public Health shall prepare upon consultation with doctors, MD's, and the medical societies and the Advisory Board of Cancer Control a brochure outlining the alternatives to radical mastectomies; and it further prescribes that when a woman is subject to that type of medical treatment, radical mastectomy, they should be given this brochure so that a discussion of the possible alternatives to radical mastectomy may be...may be discussed between her and her doctor. I want to underline, this...this bill was amended in the Senate and it was amended based upon discussions and agreement with the Illinois State Medical Society lobbyists. That is why it passed out of here 51 to zero. I think that the cost is nominal, and that's probably an overstatement, seventeen thousand five hundred dollars to distribute this kind of information is the best bargain that you're going to vote on today, tomorrow or yesterday. I urge an Aye vote to override the veto.

PRESIDENT:

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yeah, Mr. President and Ladies and Gentlemen of the Senate, this is a hard bill for me to...to speak about. I suppose being a woman and probably having the same kind of scare that all women have when they consider breast cancer, I mean, it is just a...a horrible type of thing to contemplate.

It...it weighs heavily on all of us. I have concerns about this bill because I don't know that it's going to accomplish what it wants to accomplish even though the intentions are probably the best that can be offered and the sponsor is certainly an outstanding one. My...my question is this, and it...it's not even a question, it's a...let me phrase my concerns. First of all, before a woman goes in to...with a lump or something that is suspicious, she will have that discussion with her physician beforehand. Generally speaking, at that time, you sign a release which talks about what type of possibilities exist and then go forward once it is determined that cancer is detected. Now, it is my understanding the only way that one can be fully assured that a lump is cancerous is to have a biopsy. That biopsy, in some cases, can be done with a local anesthetic in an office and the patient has the consciousness where at such a time a pamphlet of this nature might work, but more often than not, that biopsy is being done under a full anesthetic in a operating room where, in order for the provisions of this bill to take effect, you would have to reawaken the woman if cancer were discovered to now go over this pamphlet with her and then either at that time, and I don't know if this is even medically possible, put her back under a general anesthetic or have her come back at another time thus creating another period of time for mental anguish because this is, again, not a very easy situation. The other problem I have is, I suppose, where this may get into malpractice. If, indeed, this would have to be given to all doctors, how do you deal with a proctologist or how do you deal with a pediatrician or those people who really and truly would never be involved in dealing with breast cancer at all because they would never be involved. And the other problem that comes up that I think would be difficult would be how fast can you get these brochures if, indeed, this bill is enacted into law to a newly registered

doctor; before that registration gets on the computer run, that pamphlet gets to them before that doctor might now not have given a...a suggestion that a woman go in, have a biospy or there's something suspicious. I think this bill sets up an environment where a potential malpractice situation could exist. So, under all of those three, four considerations, I like the intentions of this bill. I think something should be done in this direction, but I don't know that this bill will do it without causing more grief than...than it...it would solve.

PRESIDENT:

Further discussion? Senator Smith.

END OF REEL

REEL #2

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in strong support of this override. There's a...a saying that "For forms of government, let fools contest; what's best administered is best." We have to protect our women today. They never know what is going to happen to them and when such a plague happens...befalls a woman, I think she has the opportunity, she has the privilege and she should be...protected and she should be notified and given all directions that she can in order to satisfy her feelings and all. Then I'm thinking about the recent happening here of our First Lady of this country, what happened to her. That was something serious and it was self-satisfying to her to have the care of not only her husband but competent doctors and people around her. The same care should be given to women in this country all over and especially here in the State of Illinois. Seventeen thousand dollars is something that you can sneeze at. I think that we should support this override, and I vote that you support it. Thank you.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

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

PRESIDENT:

Indicates he'll yield, Senator Hall.

SENATOR HALL:

Senator Berman, my understanding was...and you correctly stated at that time, but are you telling me for seventeen thousand dollars that we're about to not notify people of one

of the most dreaded disease that's affecting us today? I just want...if you might answer that question for me.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The Governor vetoed this bill...with every bill that costs new money; this bill cost seventeen thousand five hundred dollars of new money, that's why he vetoed it, not on the merits but because of the cost along with a couple hundred other bills on that particular day.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr...Mr. President and members of the Senate, I only arise to state my conflict. Since this bill says that this pamphlet is going to be mailed to every physician in the State of Illinois, all M D's, chiropractors and osteopaths who are listed...who are licensed under the Illinois Medical Practice Act therefore qualify, we'd all have to receive these brochures. Whether the cost amount is accurate or not, I just want to state the conflict. I intend to vote No because I'm surprised that though the sponsor is an outstanding individual he is a lawyer who understands clearly of interfering with the doctor-patient or the lawyer-client relationship. And this certainly looks to me that we are entering into the doctor-patient relationship by this action. And I would urge all of you to vote No. I intend to vote No and I want to state my conflict.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, this type of...of injury or you might say ailment is most peculiar to women, and as a woman, I can tell you this, I

don't think there's anything wrong with...the physician being able to discuss the various alternative treatments and leaving it up to the individual. It's a very serious thing. I have talked to doctors who...who are for this and there are doctors who are against it. I understand the Illinois Nurses' Association, and I don't always agree with them, are in favor of the override. But I think we should know alternative forms of treatment, I don't think there's anything wrong with that. And I speak in favor of the override; the cost is very, very, very minimal. We need more information. This House voted for a bill which said doctors don't have to give any counseling or advice when a woman is pregnant, and I voted against that and I think we're in the same boat here, we should give the information.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thanks, Mr. President. I...I...I rise reluctantly, but the question arises in my mind when we talk about doctor-patient relationship, does the Hippocratic oath have any relationship to what...what is done between doctor and patient under circumstances such as these? Do you know the answer to that question? Well, I don't either, I just understand...my sort of understanding is that the Hippocratic oath binds a doctor to inform patients, among other things, I would think. Is there any doctor in the house? Can somebody answer that question?

PRESIDENT:

Any further discussion? Further discussion? Senator Berman, you wish to close?

SENATOR BERMAN:

Thank you. Let me just point out a couple of things. One of the things I think is important as to this bill...and we kid ourselves because of the word "consistency." Some-

times that's in short supply around here, but let me refresh your memories. Two weeks ago, a bill with almost identical provisions regarding preparing of a brochure and distribution of a brochure was sponsored by Senator Schuneman. It didn't deal with radical mastectomy, it dealt with whooping cough and we overrode the veto. There virtually is no difference between those two bills, and if you may recall, I...I chided or reminded Senator Schuneman as that bill was being overridden that this bill would be coming up today. Now, I've got to tell you, ladies and gentlemen, if we overrode a bill that wants to discuss the...the problems or the possibilities of whooping cough, can we do anything less regarding the alternatives to radical mastectomy? And let me talk for a moment regarding the Medical Society and their letter and their position that Senator Topinka outlined. What bothers me on this bill is, as I said to you before, when the bill came over from the House, the Medical Society had some problems on it. The bill before you today was a bill that was worked out between the sponsors, Representative Didrickson, myself and the lobbyist for the medical society. I want you to understand that. And that's why that bill got fifty-one votes in this Body and no negative votes. The board...the board of directors of the Medical Society, after we were gone, changed their mind. For some reason, they didn't like the bill. But, ladies and gentlemen, you and I know that we deal with lobbyists every day and the lobbyists for the Medical Society do an excellent job; sometimes I agree with them, sometimes I don't. But I think that part of this important vote on this override is to deliver a message that when lobbyists make an agreement and we rely upon that agreement, their membership should back them up. I think that that's important, not as important as this bill is but it's an important message. We worked this out, it was the Medical Society's amendment, I put it on, they withdrew their

HB 942  
override

opposition based upon that, that was in June. Nothing, nothing, ladies and gentlemen, has changed the merits of that bill between then and today. I urge an Aye vote on the override.

PRESIDENT:

The question is, shall House Bill 934 pass, the veto of the Governor to the contrary notwithstanding. 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 25 Ayes, 19 Nays, 2 voting Present. And the motion fails. Senator Luft, on 942. Madam Secretary, on the Order of Motions in Writing, there's a motion with respect to House Bill 942. Read that motion, please.

SECRETARY:

I move that House Bill 942 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Luft.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. House Bill 942 deals with the cogeneration or the burning of waste. It has not reached a crisis state in the State of Illinois yet; however, the Chicago area, the metropolitan area in the northeastern part of this state is the third largest garbage producing area in the nation and yet we have not addressed this. In a...recent Tribune study it shows that fourteen states...or fourteen cities are already dealing with this problem by moving aggressively either on recycling cogeneration in some sort of waste production...reduction. House Bill 942 is very technical and we passed it 33 votes to whatever back in June. I'm going to go through it briefly, and from that point on, if there are any questions, I will be happy to attempt to answer

them. It is designed to promote the development and implementation of solid waste management plants, it does so by establishing standards for qualified solid state energy facilities as follows: it defines the qualified solid waste energy facility, it requires electric utilities to purchase that electricity generated by a qualified facility, it grants tax credits to public utilities that purchase cogenerated electricity, it sets forth billing procedures, requires the cogeneration facility to reimburse the Public Utility Fund after the capital cost of the facility have been paid, and sets forth other rules and regulations. The Governor vetoed this bill based on a cost factor of eighty million dollars which, in fact, everyone thinks is absolutely totally out of...character and out of bounds. It is thought that there should be three facilities within the City of Chicago and perhaps two in the suburbs. The cost of each facility to the State of Illinois may be approximately six million dollars, that's based on high estimates. So you can see there that the eighty million dollars is very high. I would now attempt to answer any questions.

PRESIDENT:

Discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT:

Soon as I get the sponsor's attention, Senator Davidson, we'll move on. Sponsor indicates he'll yield, Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor. Under the financial provisions of House Bill 942, most downstate electric utilities would have insufficient utility tax credit capacity to accommodate the state subsidies that would result if a large trashed energy plant was built in their service areas. The results

could be higher rates for their electric customers. Would you agree to work with these smaller utilities in correcting that flaw in this legislation next Session so that the tax credits available to these utilities are not exceeded?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Yes; as a matter of fact, in the analysis we state that nothing in these provisions is intended to cause an electric utility to incur any economic loss as a result of its purchase of cogenerated power. So we'd be more than happy to discuss that at a later time.

PRESIDENT:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I might ask a question of the sponsor.

PRESIDENT:

He indicates he'll yield, Senator Topinka.

SENATOR TOPINKA:

Now, in the Governor's Message, he said this could cost the state up to eighty-four million. Over how many years are we talking about in terms of this eighty-four million, if indeed, it's eighty-four million?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

It's my understanding that...to reach the eighty to eighty-four million dollars would require the burning of each piece of garbage in the State of Illinois, which I don't think will ever happen. By the time you get one facility on line it would be at least three years from now, so you wouldn't start billing the State of Illinois probably till 1991. Also, you have to remember that these are all municipally owned or have to be municipally owned, and therefore

for each municipality to come up with a hundred and twenty million dollars to construct such a...facility would probably not be in the best interest. Hopefully, and what I am told, is the problem could be satisfied with five plants. And if each plant costs the State of Illinois six million dollars, after all of them are on line you're talking about thirty million dollars. If you don't do this, look at the State of New Jersey that now pays a hundred and forty dollars per ton tipping fee to ship all their garbage to Kentucky, and I'm suggesting that that may be in the same posture we would be if we don't address this problem at this time.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

...Basically liking your bill... 'cause we come from... I come from northern Illinois where we've got garbage up to... our kazooos and don't know where to put it, would this eighty-four million that at least was put forth by the Governor, does that cover... take into account money that would come back from municipalities?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

The... after the twenty-year contract for the utility to purchase the cogenerated electricity, at the end of that twenty-two... twenty-year period, the facility itself will not receive the incentive and, therefore, the bill calls for them to start paying back the utility tax on the amount of money that they have received in the tax break over those twenty years.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Final question. So overall, are we kind of... is... is

this kind of like an interest free loan to achieve this?

PRESIDENT:

Senator Luft.

SENATOR LUFT:

I don't know whether I'd call...that or not, I would just it's an incentive that is required to ensure the profitability and the payoff of the...this type facility.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I reluctantly stand to oppose this bill. I certainly think that there is no question about it that the State of Illinois needs a waste incineration bill. But...it...it...with the controversy over the cost of this at this present time, I think we should be very, very reluctant to plunge into this particular bill. I also think that under this bill that we could end up with having certain investment groups that could seek millions of dollars in this...state subsidies to fund their incinerators down the line. So, I...I really agree with the Governor's veto of this bill and I would like to explore further methods and further ways of implementing a...a system that is badly needed in Illinois. So, very reluctantly, I stand to oppose this override motion.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would rise in support of this bill. A recent study by the State Environmental Protection...Agency showed that we only have three to five years of capacity and landfill throughout the State of Illinois. There are very few new landfills being licensed and I think everyone in this Body has gone through the situation of...trying to find out if a landfill is going to be sited in

your county or in your district. It's almost impossible any-  
more to site landfills mainly because our constituents don't  
want more landfills. One of the purposes of this bill is to  
incinerate that waste and reduce its volume to ten percent of  
the original volume. Obviously, if we only have ten percent  
of the previous existing garbage, we'll need fewer landfills.  
Until we get to that point where we start using less land,  
we're not going to be able to take care of all the garbage  
that is coming. Now, Senator Luft said that there isn't a  
crisis yet, I think he's wrong. It's going to take several  
years to get this program going. We've already seen what  
happened with our last recycling program, the Waste Manage-  
ment Program, that ended up being declared unconstitutional,  
that's now pushed back. We need to get this law on the  
books, we need to start encouraging incineration and  
discouraging landfilling and the time to do it is now. So, I  
would urge an Aye vote on this bill.

PRESIDENT:

Further discussion? Senator Joyce...Jerome.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I also rise in support of  
Senator Luft's motion. I think that we in the areas sur-  
rounding the metropolitan area of Chicago are definitely  
feeling that, as Senator Welch says, that there is a crisis.  
In my district alone there are...there are hearings for three  
landfills going on right now. I think until we...we deal  
with this in...in a more sensible and reasonable way, this is  
a...this is an excellent provision and I...I don't see that  
we have any choice but to support this sort of thing.

PRESIDENT:

Further discussion? Any further discussion? Senator  
Luft, do you wish to close?

SENATOR LUFT:

Only to speak...seek the support of the Body, Mr. Presi-

dent, and to acknowledge that the Senator that spoke about those investors reaping a windfall, you neglected to listen to my statement when I said all this has to be paid back by the investors. Nobody is getting anything. They're getting it for awhile and after the incentive is gone, if you want to call it that, the investors, which are the municipalities by the way, will wind up having to pay all this money back. I think it's a crisis situation that we have to address now; otherwise, we'll be talking three to four years from now in trying to solve this problem overnight. So I would seek support for my motion to override the Governor's veto of House Bill 942.

PRESIDENT:

The question is, shall House Bill 942 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed will 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 44 Ayes, 14 Nays, none voting Present. House Bill 942 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 1848, Senator Berman. 1968, Senator Hawkinson. Madam Secretary, on the Order of Motions in Writing, there's a motion filed with respect to House Bill 1968. Read that bill, please...motion, please.

SECRETARY:

I move that House Bill 1968 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Hawkinson.

PRESIDENT:

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. This bill passed the Senate 59 to nothing, in the House a 117 to nothing, and the House has

overridden by...an overwhelming margin. What the bill does is simply grant permissive authority to the Department of Transportation to explore with the Federal Government the subject of...of island building...demonstration island building in Peoria Lake and the Illinois River. It does not in any way mandate this, it is not a cost program. If there is an island to be built and state expense, we would have to come back for an appropriation. The Department of Transportation ought to be involved in this endeavor because it has the Division of Water Resources and is the authority for coordinating the work of our river and, therefore, it ought to play a role. We do not in any way mean to interfere with the role of the Department of Conservation in seeking Federal funds for this. And I would ask you to join me in overriding the veto.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 1968 pass, the veto of the...Governor to the contrary notwithstanding. 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 57 Ayes, no Nays, none voting Present. House Bill 1968 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Savickas, 2006. Madam Secretary, there's a motion filed with respect to House Bill 2006. Read the motion, please.

SECRETARY:

I move that House Bill 2006 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, House Bill 2006 which was overridden in the House by a vote of a...I guess, a hundred and seven. It creates a bill of rights for persons with developmental disabilities, and it provides that as a matter of public policy the developmentally disabled have a right to be served in a community, it specifies the enforcement will be conditioned upon the development of a plan. This is 2006, Senator. It's...it's the companion bill to 848. It is...it was vetoed by the Governor on the cost factor, but I must tell you that there is no cost involved. Dollars would have to be legislated in 1989 and that no monies until then. This bill came about because of the Governor's Task Force on Developmental Disabilities...well, with Senator Collins, who was also on the task force. I would move its passage.

PRESIDENT:

Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes, if I may ask the sponsor some questions. First of all, what is the cost of setting up this advisory committee?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

From my...notes here, there is no cost.

PRESIDENT:

Senator Topinka.

SENATOR TOPINKA:

Well, the Department of Mental Health feels that it would take about seventy-five thousand, and I could even live with that. But I suppose what I'm concerned with is because this Body likes to make a lot of promises to people and kind of get...get them all excited that good things are going to happen down the road a piece. I...I just don't feel that after all of this is said and done and all of the various items that are to be studied and reported on, if they were

all funded, you've got to be talking down the road a piece of billions of dollars. Could you comment on that, Senator Savickas?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Oh, I could comment on that; obviously, any program and the extent of that program can cost money. We're talking now at this point of establishing that disabled persons do have rights, that it is a matter of public policy and that we will work on a plane to...implement how we can enforce those rights into...to the monetary extent that we can enforce them. We will shortly be...addressing an issue on education, of raising the pay for teachers. We say the children have a right to education and the amount of that right is going to be extended by the amount of the monetary funding.

PRESIDENT:

She...she's running for cover, you've answered her question. Further discussion? Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. Speaker. I don't want to prolong this except to say that two weeks ago when we were here we overrode vetos on various programs and services, all worthwhile, just as this one is. And to me, it's like buying things on...and they've all been...we...everybody said there's no money in the budget for this but we're just putting it in and...you know, but it's not going to cost anything yet or now. To me, that's like using a charge card. We're just buying everything with plastic money, we're spending all this money, we're setting up all these programs and agencies that don't cost anything now, but, boy, someday they're going to, and we ought to be aware of that.

PRESIDENT:

Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Well, Senator, I would just...I appreciate your allowing me to close and just remind that...those on the other side of the aisle, that this was a good public policy bill in the end of June when it went out of here with 58 votes to nothing. I think it's still good public policy that costs no money at this point, and I would ask your support in the override.

PRESIDENT:

Question is, shall House Bill 2006 pass, the veto of the Governor to the contrary notwithstanding. 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? Have all voted who wish? Take the record. On that question, there are 32 Ayes, 24 Nays, none voting Present. And the motion fails. 2114, Senator Joyce. Madam Secretary, on the Order of Motions in Writing, at the middle of page 16, the motion with respect to House Bill 2114. Read the motion, please.

SECRETARY:

I move that House Bill 2114 do pass, the veto of the Governor to the contrary notwithstanding. Filed by Senator Jeremiah Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. House Bill 2114 would provide that public safety agencies install equipment to receive phone calls for emergency service from deaf and blind persons. During the committee hearings, we heard numerous stories of disaster and near disasters when people who are requiring this emergency service were not able to communicate to the police or to the fire department. We are talking about in this legislation a unit that the municipality, the fire department or the police

department, would purchase; we're not talking about purchasing these for the person who is seeking the emergency help, he himself or she has already acquired that. The cost is a concern, as we always have those concerns, but the cost in the analysis indicates somewhere between three...hundred to eight hundred dollars per unit; testimony in front of the committee was somewhere in the neighborhood of eighty to a hundred and fifty dollars per unit. But whatever the cost is, if you had...heard some of these stories, I'm sure you would join with me in overriding this veto on the basis that we just can't afford to have this type of situation in the state. So I'd ask you support the override.

PRESIDENT:

Discussion? Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. I think this is a classic example of a bill we'd probably all like to vote for. Certainly it's...it's a good idea to provide this equipment if, in fact, we can afford the equipment. My concern is that if we pass this bill, we're going to be mandating upon every one of our local law enforcement agencies and our...municipalities the legal obligation that they must install this equipment, irregardless of whether there may be need in that community for the equipment or not. I think it's a laudable idea but, unfortunately, our...our propensity to approve laudable ideas exceeds our ability to pay for them. And I think we have to look at...at that issue very carefully. That was the basis on which the Governor vetoed the legislation and we probably should sustain the veto.

PRESIDENT:

Any further discussion? Further discussion? Senator Joyce, you wish to close?

SENATOR JEREMIAH JOYCE:

HB 483  
Item Reduction

Thank you, Mr. President. There is probably not a police district or a fire district in this state that does not have one blind or deaf person in that district. Now if he has this...he or she has this device in their home and they are not able to communicate to the local police department or fire department because we are saying that it costs too much money, that we can't afford...that municipality can't afford a hundred and fifty dollars, that's absolutely crazy. And I will tell you, if we permit that, you will some day rue the day that you voted against this.

PRESIDENT:

Question is, shall House Bill 2114 pass, the veto of the Governor to the contrary notwithstanding. 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 35 Ayes, 20 Nays, 3 voting Present. And the motion fails. Middle of page 16, Senator Berman. 483, we're on that order of business. All right. Madam Secretary, middle of page 16, on the Order of Motions in Writing to Restore Item Reductions, there's a motion filed with respect to House Bill 483. Read the motion, please.

SECRETARY:

I move that the item on page 1, line 10 of House Bill 483 be restored, the item reduction of the Governor to the contrary notwithstanding. Filed by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr...thank you, Mr...Mr. President, Ladies and Gentlemen of the Senate. This is probably the most important vote that we will take in this Override Session. This is the vote that's going to determine whether we live up to a commitment to every school child in the State of Illinois.

This is the motion to restore sixty-two million dollars that was cut by the Governor from the general state aid appropriation bill. Now I think that's important to understand what this bill does and what it doesn't do. Number one, unlike other suggestions that may or may not be raised in the next thirty-six hours, this bill gives to every school district in the State according to the general State Aid Formula. It is a bill that we approved in June. It is a bill that is an appropriation according to a formula that everyone operates under. Now like any formula it may not give my school district all the money it wants and it may give somebody else more money than I think they ought to have, but it is the general state aid appropriation. It is probably, within the context of what our alternatives are, the fairest, the fairest, from the point of view we know exactly where the money is going. There has...there is in my...on my desk a printout to show exactly where this money goes. I think the question isn't whether it's fair, the question is, can we afford it. And let me tell you how I think not only can we afford it but that if we are going to be responsible legislators we have no choice but to vote Aye. In June, we passed a budget for schools that was, in effect, a few dollars more than the appropriation that we passed the previous year. The reason we didn't do substantially better is because there was no tax increase. And so the General Assembly, within the powers given to us under our Constitution and given to us by our voters, we passed a...an appropriation that virtually gave all the schools in the state the same money for Fiscal '88 as they had in Fiscal '87. The bill then went to the Governor and the Governor made certain decisions and those decisions resulted in his cut in this appropriation bill of sixty-two million dollars. Now, what decisions did he make? He made, in effect, three decisions as it affects this bill. He set his priorities which are within his prerogative;

number one, he said that based upon revenue estimates, he wanted to wind up Fiscal '88 with a two hundred million dollar year end balance. Now, ladies and gentlemen, there is nothing in the law that requires two hundred million but that was the Governor's decision. Number two, he decided that he wanted a certain level of what we call lapse period spending, a level that was lower than any lapse period spending in the past four years. So what he is, in fact, doing is saying that he wants to cure some expenditure practices that he frowns upon and cure them all in Fiscal '88. And third,...third, he decides that a loan that was made for a hundred and four million dollars and is due on February 1st ought to be repaid totally on February 1st. And because of those decisions, he cut school aid by sixty-two million dollars. The bill is now back to the General Assembly. The House overrode it. I agree with the House's action, I disagree with the House's explanation and that's why I am going through this long story; because I think the public is entitled to know our thinking if we're going to vote Aye. And my thinking and what I urge your thinking to be is that the money will be there because we are setting different priorities than the Governor, and when the people go to elect us, they give us a responsibility to make priorities. That's the reason we have an appropriation process. And what I am suggesting is that there is nothing sacrosanct about the Governor's three decisions. And if we vote for the school kids and reinstate sixty-two million dollars, the state is not going broke, our bond rating will not decrease, because within those three alternatives the amount of sixty-two million dollars can be more than easily addressed in one of those three ways; you up the lapse period spending a little bit, you don't pay off the whole hundred and four million dollars, or you pay it off and you take out another loan a couple of days later, and there's nothing wrong with borrow-

ing money; and, number three,...number three, there is nothing that is holy about a two hundred million dollar year end balance. And between those three alternatives, we will say, Governor, people of the State of Illinois, the Senate of the State of Illinois has decided that we want to do something to live up to our commitment to school children rather than to three hypothetical guidelines which, in my opinion, are not more important than the school children of the State of Illinois. I urge your Aye vote.

PRESIDENT:

Would remind our guests in the gallery that demonstrations under the Senate rules are not allowed. Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. I, too, rise in very strong support of the veto override of House Bill 483; but, unlike Senator Berman, while I feel that this is one of the most important votes that we can vote on in this Veto Session, I also feel that there are several others, such as day care, it's just as critical as this vote. And while I am in strong support of us restoring and...and overriding this veto to ensure that the kids across this state at least have a better chance for a decent education, because I don't think this will have that much impact in terms of the overall quality, but it will help and it is right that we shall...should restore this money to the budget but not at the expense...and I have heard, and the reason I want this clear on the record that I am voting for the override for education but not at the expense of not providing any money for day care. I think we have the responsibility to do both and I agree with Senator Berman that with just a little creative management...fiscal management that we can, in fact, do both without putting this state into bankruptcy. I have heard rumors that if we restore and override this veto

that our chances for providing for money for day care and some of the other critical issues was almost nil. That is not why I am voting for this override; I am voting because I believe and I have the confidence that we will do the right thing and we will provide money for those welfare mothers who we say must get off of the welfare rolls, be about the business of getting into and taking advantage of the training programs like Project Chance and like...those programs under the...the Federal Job Training Partnership Act and other training programs that we have made available in this state so that they can have adequate places to leave their children and they can go about their business to training or to work. It is just as critical for us as providing a decent education for those children who are already in school. And I can assure you that if, in fact, we provide the necessary training and money for those persons to get off of the welfare roll and become productive, responsible citizens, that our job in the education system will also be easier. And, therefore, I think we have the responsibility here to do both, and I ask you to do the same.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I rise in opposition to the attempt to override the line item veto of House Bill 483. There is, at the present time, as we're all aware, a crisis in our national and international markets...financial markets which stems in large part from the lack of confidence in our Federal Government's ability to balance expenditures against revenues. Too many deficit budgets in Washington have undermined our faith in the ability of our Federal Government to regulate this nation's economy. In 1970, delegates came to Illinois, to Springfield, to write the 1970 Illinois Constitution; and in that Constitution,

they protected us from the same kind of chaos which now dominates public finance in Washington. They inserted in Section 8, Article VIII of that Constitution a sentence which simply says, "Appropriations for a fiscal year shall not exceed funds estimated by the General Assembly to be available during that year." The question, it seems to me, is a simple one. Are there available funds to fuel the dollars needed to override this veto? The Bureau of the Budget stated sometime ago the money is not there. Our own Economic and Fiscal Commission, our revenue forecaster for the Illinois General Assembly, agreed, as it always does not, that the money wasn't there. In fact, they had to revise their estimates just two weeks ago and lowered their estimate of our balance by a hundred and thirty million. Senator Berman, you talk about the question of whether or not two hundred million dollars can be pegged as the available balance, is that appropriate or isn't it? I'm afraid that really isn't the question anymore, because if you take a look at the sales tax receipts coming into this state in this fiscal year, you will find that they are lagging behind for the first four months of the year thirty-eight million dollars; and if that continues, we'll be lucky to wind up with a zero balance at the end of this fiscal year. So, at the moment, we really have no choice but to abide by the oath of office we took to uphold the Constitution and that specific provision I read. I certainly recognize that this state has some serious funding problems; whether it's kids, whether it's day care, whether it's mental health institutions, we have some work to do. Assuming that this override fails, our job is not and should not be over. We should continue our dialogue with our constituents, with the citizens of this state. We should assess our needs and we should be ready to come back here next year as we put together a budget for Fiscal Year 1989, and if it is what our citizens are asking, and many of

mine are beginning to ask and demand that we address these problems, then we should implement that in our Fiscal '89 budget. But to do so today is irresponsible and I urge a No vote on House Bill 483.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I can recall the sponsor of this bill when we had a supplemental appropriation and there was an amendment put forth by one of the Senators on the other side asking for fifty-two million dollars more in it, and I can recall the sponsor of this bill rising and speaking against it because we don't have the funds. If I can just give you briefly, the largest school district in my area, Waukegan School District, the superintendent took it upon himself to take me to task because I said, very honestly, that we don't have the money to override, to use that...and...and override and be happy about it. We either are going to tell the people the truth or we're going to lie about it for political expediency. We don't have the money. The Comptroller has been sitting with about two hundred million dollars of unpaid bills on his desk, and this we learned just about ten days ago. I might tell you also, that I've had...purveyors calling my office and wondering why their bills aren't paid. The director of the...the budget, Dr. Mandeville, said that the bills may not be paid in thirty, sixty or maybe ninety days, they might be delayed. How are we going to be honest with each other, by just going ahead and voting for it? I'm running for reelection, I've been threatened because I may run for reelection by this...one or two members of this school district because I did not want to support a tax increase. And this very superintendent said to me,...after all, where does she get that idea? I'll tell you where I get the idea, my constit-

uents overwhelmingly do not want to support a tax increase; and I can tell you something else, I think we're going to have to wait and see what the impact of the Federal Income Tax law, the new one, is going to be in the State of Illinois. We don't deduct...we cannot deduct sales tax anymore, we cannot deduct...the interest on credit cards anymore, we have the Gramm-Rudman Act to contend with and see how much of our money is going to come back to Illinois. I think it's too soon to try and override this veto because it does create financial irresponsibility. I am for education, I am a product of education, I earn my living off of my education, I'm not against it and I'm not against kids; but to be here and say vote for the override when we don't have the money at the present time I think is wrong. And if it's going to cost me votes, then I guess it's going to have to cost me votes because I cannot stand here and say, yes, I'm going to vote for this override when I know,...and I've checked, and we're short. And we are short, because I can remember just several months ago when I was running for Comptroller my opponent said we don't have enough money; then, all of a sudden, he said we have plenty of money, now he's stuck with all those bills on his desk. And I say, ladies and gentlemen, the responsible thing to do is wait and see what we can do after the first of the year. And if we need a tax increase, let's produce the necessary information so we can go back to our public and say, these are the facts. I think the American people in all of our districts are sensible enough to realize if we don't have the money they can then decide on a tax increase and urge us accordingly, not otherwise. I speak against the override.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. First of all, two brief com-

ments on Senator Kustra's comments. Economic and Fiscal Commission did not, I repeat, did not, reduce its revenue estimates by a hundred and thirty-one million dollars. And we have written the Governor and told him several times now that that is a misrepresentation of our revenue estimate. Secondly, as far as we are concerned, our revenue estimates are on track for this year; it doesn't mean that they are robust, it means that they are on track. Now, as chairman of...or cochair of the Economic and Fiscal Commission, which is the Legislature's fiscal agency, I certainly have been asked a number of times, do we have the dollars? And I think the...like all important and complex questions, the answer is, yes and no. The...it is...there's no question that we are in very tight budget constraints at the present time. There are cash flow problems right now; if this money is restored, there will be more cash flow problems. There are bills that are not being paid on time right now and there probably will be some more. But this has not happened overnight. If...it's taken us three or four years at least to get into the kind of, what we call, budgetary imbalance that we are currently in. It was the Governor's fault and it was our fault in many respects for going along with it, but having taken several years to spend more than we were taking in in revenues engaging in these very, very precarious budgetary practices, there is no reason in the world why we have to pay our way out in one year only, and that is essentially what the Governor is saying. I would not stand here and represent that we might not...if we go to bond sale again between now and next spring that we not take a little bit of a drop on one of the bond ratings, I think that's possible. It would cost us a little money, it would not cost us a huge amount. But the real point of all of this is...and, by the way, if the Governor chooses to make it even tougher on us if we restore this money, he can do so, he can decline to take any

of the actions, interfund transfers or whatever, that would help us to get through this period. That he has the option to do. And I would, right now, say to the Governor that if we are successful in restoring this money, don't take that road because we will be watching very carefully and that is not the responsible response to our reaction to your veto. But coming back to where we are now, it...there is no way that we are going to get ourselves totally back on track right now in one year, and there really is no reason why we have to do that. It seems to me that the decision that we are being asked to make today is not basically a fiscal judgment call, it's a policy judgment call. We have made certain commitments to the population of this state as well as to the people in the schools of this state that we are going to fund education at a...a reasonable level and we are going to stand by the commitments we made a few years ago to reform. The veto of this amount of money is a renegeing on that commitment. It is our judgment...it is our policy judgment that we should not renege on those commitments. If we do that, then I think we have lost our credibility with a large part of the population. We can make this year work fiscally, not without pain but we can do it. If it our judgment that our commitment to education requires us to restore this money, then that is the policy call we should make and it's one I'm willing to make.

PRESIDENT:

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think what we're talking about today is consistency. And because I feel a need for consistency, I rise in strong support of this motion. We're not talking about new dollars, we're talking about putting back what we promised to school districts and only at last year's level. The Gover-

nor, in 1985, talked about returning to fifty percent funding by the state of the total schools' bills. We applauded that statement and we moved to establish that as our priority. We need to keep that as our priority. Somewhere in this state there is a child waiting to learn to read; somewhere in the state there is a child waiting to learn to write; somewhere in the state there is a child waiting to learn to add and there are school districts who had planned to teach them those things. Those of us in the Legislature who are fortunate enough to have been taught those skills now need to use them. Write down that number, House Bill 483, read what it does and then learn to add back the dollars that you originally put in.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I must admit that I don't like any of the alternatives open to either this Assembly or to the Governor. I think this state should maintain the two hundred million dollar balance in the treasury to prevent any deterioration of our bond or credit rating. I think we should pay off the hundred million dollar plus loan that the state borrowed and we should not make a practice of borrowing this state into bankruptcy. I listened very carefully in the appropriations committees to both the Bureau of the Budget and the Economic and Fiscal Commission. They are very close in their estimates of revenue growth and expenditures during this year, and both predictions tell us that we do not have the money in this state to meet the basic needs of our people, and that, in my judgment, is tragic. Mr. President, this year we have budgeted five hundred and twenty-nine million seven hundred thousand dollars in interest payments for our outstanding indebtedness in the State of Illinois, an incredible amount

of money which does not pay for the education of one child, does not provide for the needs of one senior citizen, does not pay for the day-care services needed to make Project Chance work, does not lay one sewer or water line to repair the infrastructure of our towns or cities. It is interest. Mr. President, it is tragic that we are not meeting basic needs. It is equally tragic that we are living on borrowed money. All of us have seen in recent weeks the effects nationally of creating high indebtedness, the havoc in the stock market, the undermining of the economy of this country by deficit spending. Mr. President, I speak only for myself, I speak for no one else in this Senate. I will not, in fact, I refuse to judge the reasoning or the rationale of any of my colleagues. We all must do what we judge to be right according to the dictates of our conscience. But I believe, after considering all the information available to us, that we should restore this money, we should meet the basic needs of our children and we should come back here in January and vote for the appropriate tax to pay for it. Mr. President, the present is of concern, but if we do not do this, how do we meet the basic demands of the future? How do we ever pay for a one-billion-dollar asbestos removal program from our schools? How do we provide safe and secure environments for our abused children, wherein the Department of Children and Family Services the ratio of abused children to social workers, the cases, is now so overwhelming they can't even begin to handle the problem? There are other equally valid and pressing needs in this state which must also be met. Mr. President, we must at some point in time raise the appropriate revenues to do what we all know must be done. These are my views, and I respectfully ask the members of this Senate to consider them and to vote Yes on the restoration effort.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I rise reluctantly in opposition to this motion, and I've tried to pay attention to the debate. Senator Berman indicates that this vote is a vote on priorities, I concur. But I would also like to remind Senator Berman what those priorities are going to be and what the consequences of selecting this as our priority is. We, in Springfield, when it comes to the appropriation process, do not make decisions; we make choices and here is what the choice is, folks. We are going to restore with this override one percent to the overall spending for education in the State of Illinois which has now reached approximately six billion dollars, one percent. Now, Senator Holmberg says we got kids that want to read and write. I want you...point out to you to the two schools in my district that I pay taxes to, my elementary district, which is going to lose seventy thousand if we don't override this. They collected 1.9 million dollars more in property taxes this year. Senator Holmberg, rest assured, those kids are going to read and they're going to write and they're going to do it a heck of a lot better 'cause they're...1.8 million dollars ahead. The high school whose district I live in is going to lose approximately two hundred and forty thousand. Their property taxes went up 3.4 million dollars. Senator Holmberg, your concern is well put. Those kids are going to read better, they're going to write better to the tune of about 3.1 million dollars more. So we're pouring one percent more into an area which has substantial increases to begin with, at least in my area. But when we do this, this is what we're saying yes to, folks; let me tell you what we're saying no to. Senator Collins, you're not going to get day care if this passes, because I'll tell you what, this is an override of a veto and the only thing the Governor can then veto is the supplemental where that day

care sits. We're going to say no to some mental health people who are totally dependent upon us for funding. They can't raise the property taxes for that money. We're going to say no to higher ed. who already raised their own tuitions. We're going to say no to the seven hundred hemophiliacs, totally, in the State of Illinois, we're going to give them zip. We're going to shut down the Math and Science Academy, and I could go on and on and on; because when you say yes to this bill, that's what you're saying no to. I'd love to say yes to all of this stuff, so would everybody else on this Floor, but you got to remember what you're saying no to. And one more thing, when we talk about commitments, you know one commitment is forgotten. We made a commitment last year through our own legislative action the year before to abolish that cockamamie School Aid Formula, that formula that raised my property taxes sixty percent for education. Where's the commitment to that one? Not only did we forget about it but we extended that old formula and we didn't even put another repealer on it. Now you want a commitment to the taxpayers and you want a commitment to the schools, let's strain that one out first, because you know what? We're never going to reach fifty percent in this state because those property taxes shoot up so fast...you think the State of Illinois has a sixty percent increase in revenues? Because the only way you could have kept up in my district with fifty percent is to raise sixty percent...our revenue sixty percent more. I'm for helping education, everybody in here is, but, folks, let's just remember when we say yes what we're saying no to. To use an old expression, "You can't put six pounds of apples in a five-pound bag."

PRESIDENT:

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you...thank you, Mr. President and members of the

Senate. I rise in opposition to the override. When speaking of education, it was Abraham Lincoln who once said, "I can only say that I view it as the most important subject which we, as a people, can be engaged." I doubt that few...if any of us in this Chamber would disagree with those words of wisdom. In fact most of us will agree that our progress as a state can be no swifter than our progress in education. Many of the challenges we face in Illinois will certainly be...in the classrooms of this state. But the issue today is not an issue of education but an issue of economics. The issue is not a question of being for or against education; the issue is between politics and principle. The challenge we face is how do we best meet our commitment to education while also meeting our commitment to a balanced budget. When making his decision, Governor Thompson decided to cut the meat of our state rather than the fat. That is not our fault but it is our problem. When deciding to pay back, as he should, a one hundred million dollar loan for which we did not, as a Legislature, appropriate, the Governor chose to cut one hundred and thirteen million dollars from education and the children of this state rather than cut from the well-fed consultants. Now we are left to make sense out of havoc and to strive for courage and compassion instead of chaos. We must not belittle nor overlook the facts of our state's fiscal condition. At the close of business only yesterday the State of Illinois had three hundred and 2.6 million dollars worth of bills outstanding in the Comptroller's Office and only 6.5 million in the General Revenue Fund balance, all at a time when we are asked to restore 62.5 million dollars to education. If this override succeeds, I have serious concerns that when the tumult and shouting of this Veto Session dies, when the bands go home and the lights are dimmed and the stark reality of our state's fiscal condition looks us squarely in the eye, who will be left to pay the bills? Two

hundred years ago during the debate of the Constitution, Thomas Jefferson objected to George Washington because the Constitutional Convention had agreed to the founding of the Senate. "Why is the Senate necessary?" asked Jefferson. Washington responded, "Why do I pour my coffee in a cup, to cool it. So we have a Senate." And so it is in Illinois, to cool the actions of a sometimes unwielding and emotional House. Two weeks ago we passed out of this Chamber, with only one dissenting vote, a responsible figure of twenty-one million dollars to be added to the general State Aid Formula. Let us work with a figure, a figure that unites us rather than belabors the question that divides us. Surely our school and our children deserve better. We shall need compromises in the hours ahead to be sure, but these will be or should be compromises of dollar amount and not of principles. Compromise need not be viewed as cowardice. Let us meet the challenge of the times with the high purpose and resolve that this Chamber has been known for, to continue in our fine tradition of placing principle over politics. I urge your No vote.

PRESIDENT:

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Mr. President, and to my constituency, I echo support for the override veto vote for Senate Bill 483. And I must also back up the statement made by Senator Collins with regards to the plight of the day-care proposition. The conditions which are being voiced here in opposition to kill the override vote are a day late. Had legislative bodies in the past properly addressed the reform and the fundings that were necessary and which have now become totally cancerous, we, perhaps, would not be here today debating the merits of restoration of needed funds. The record of this administration, if examined, would surely reflect that funding for education has

steadily declined. Yet, we have pledged to our constituencies from the Governor all the way down to my fellow colleagues here that education would have top priority in Illinois. Who's kidding who? Yes, the schools in my area are suffering today. The cancer...the cancer of downgrading of funds for education is spreading, it's spreading into districts outside of the Chicago Board of Education. It's just a matter of time until you too will be caught up in this sickness of not funding education at its...and workable level. Reform, reform, reform is all I have heard lately. I am for reform if there is proper input from all segments of interested and afflicted...and affected persons who will be making...up the reform packages. Kill, kill the override seems to be the battle cry here today. To kill the override before the parents and the boards and interested community activists that had a chance to restructure what is deemed or thought to be wrong would be and could be more costly in the long-run to restore. Generations upon generation of my children are being slaughtered due to the decline of needed education and for proper funding. Many schools in my district don't have some of the cultural programs; I know, they've been gone a long time. Yet and still, we don't have them, the arts and the music programs. And yet those of you who sit here with me in this Body and who have the privilege, and it is a privilege, to vote for education for all of the school children in Illinois, not just Chicago, not just your district will probably vote No. Time and time again I've heard debates concerning the high cost of public aid, the high cost of construction, prisons, the high cost of funding the unemployment and general assistance. Let me tell you something, you ain't seen nothing yet if this present generation and this Body denies the restoration of the funding for education. Maybe you don't like me but ask yourself, do you dislike all the children in the school system or in the

state? The child or the children of our state have done nothing to you but ask you to give to them what is properly due them, a good education. Please vote Yes for the override for the restoration of the educational funds.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have been known to be called the compassionate one, so therefore it is easier for me to rise today to support today's effort to override the Governor's veto of the state school aid level this Body approved last spring, because the Chicago School District which serves the children of my legislative district and others is in desperate need of those veto funds. Many of you represent districts whose schools will not face the same massive teacher layoffs and school closings that face the Chicago schools if the state aid vetoed by the Governor is not restored. Because of this fact, you have decided that a vote against the Governor that may well force us to raise taxes at some point in the future is not in your best interests or in the best interest of your constituents. But I would ask you to rethink this position because I believe that every taxpayer in this state has a vested interest in averting the budget cutting measures that will be forced upon the Chicago schools unless the vetoed funds are restored. A vote to override these education cuts clearly will help the children of my district and of other districts by forestalling teachers' layoffs, school closing and the program cuts in Chicago. You at least will slow the spiring trend of an ever larger number of unproductive people emerging from our cities. Your constituents have a direct interest in the schools and that would produce tax producing instead of tax consumers. Strong schools not only save your constituents countless millions in welfare and other social

services costs but they will add strength to the state economy, in effect, doubling the investments we have started making today in a strong school system. You and I both know that this override will not cure the problem in our schools today, we know that, but the need for major reforms in the public school systems is clear for everyone. But the issue today is not education reform; today the issue is the need for funds to avert crippling budget cuts that will make efforts to reform the schools in more meaningful and would avert more difficult and expense problems when we have to address these problems in the future. Build your roads, build your houses, but if you do not have trained young people to man these places, what are you going to do? And so I appeal to you to please, you and your constituents, save your pocketbooks and vote in support of this override motion. It's good, please support and vote Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Brookins.

End of Reel

REEL #3

SENATOR BROOKINS:

Thank you, Mr. President. We've heard of the crisis in our nation and, yes, we've heard of the crisis in Illinois. Let me tell you that there is a crisis in education in Illinois. In '83 and prior to '83 in the primary everything was fine, we had plenty of money, but after the election, we didn't have that money no more so we needed a tax increase and I voted in favor of that tax increase. In '87 prior to the primary everything was fine, we had plenty of money, but after that election, we needed more money and they proposed a tax increase and a bill that we never saw, that never was introduced. How can we believe now today that we have no money? All reports that I have...I have seen that we had the money. When we left here after the Session we passed a balanced budget; yes, we was five percent off but we spread it over and everybody took an equal hit. Somebody played games with the money. That somebody, I submit to you, was the Governor. He played games with the money and now we don't have it. Members of the Senate, let's change it back around. Let's take the game out of the money he played with, let's put it where it should go. Let's give that money to the educational system so that the...and the kids of this town can get a proper education. Yes, we're just warehousing kids,...warehousing kids in Illinois because there will be no meaningful programs there, there will be teachers that will have to leave them schools over seven hundred teachers will have to leave the schools in my city if we do not put that money back into that fund today. So I submit to you that we need to put it back. Let's stop the Governor from playing the games with the money...the games with the money, moving

money from day care. We can handle that. It just takes a little ingenuity...a little ingenuity. I urge the override of this veto.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. I rise in support of the...the motion to override the Governor's veto. I rise in support simply because in June when each and every one of us voted for the appropriation we voted for this in June. We knew full well how much monies were available, and I have to agree with our cochairman of our Economic and Fiscal Commission when she stated the answer is yes and no as it relates to available funds. All it takes is sound management by the chief executive of this state but I resent the fact that one of our colleagues on the other side of the aisle is going to threaten us if we vote Yes that they're going to kill the day-care monies, that they're going to kill other programs. I don't know if he was speaking for himself or he's speaking for the Governor because the Governor is not allowed to speak, I see him sitting there, and maybe the Governor would tell me afterwards but don't pay any attention to that idle threat. If the funds are there, it is our duty, it is our responsibility to take care of the children across the State of Illinois. Many of you in downstate districts, your schools are short monies. In the spring of next year you haven't seen the chaos yet and then when you come to this General Assembly begging because those school districts cannot borrow any more money because they are at that max, are you going to come in, say, we are ready for reform in our school districts downstate because they are short money? You're going to come in here begging on your knees. This is a responsible vote. It is your duty, if you vote your conscience, you will vote Yes. If you're going to

vote political, some of you might vote No; and to my colleagues on this side of the aisle who may be inclined not to vote for it or who spoke against it, those same individuals that you're jumping in big with will be out to cut your throat next year. So I suggest to you, vote Yes on this override. The funds are there and don't pay any attention to the idle threats as it relates to day care and many other social programs. We can take care of that. If the Governor do his job, we do our job, the children and the people of the State of Illinois would be happy.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Since we're talking about schools, I'm going to give you the three B's. I'm going to be sincere, I'm going to be brief and then I'll be seated. You know, we're quick to say that our school children are our future. We ask the question, why are we behind? I keep hearing that there's not enough money. It's the responsibility of this state and every state to guarantee quality education for all our children. I'm downstate and I've always voted for all of this throughout the entire state because we all...all be one state. Now, you ask, where's the money? Do you realize if you had spent a thousand dollars every day since Christ walked upon this earth, one thousand nine hundred and eighty-seven years ago you would not have spent a billion dollars. You can almost spend two and a quarter million dollars every day for a year and you will not spend a billion dollars. And, yet, the budget of the State of Illinois is over twenty billion dollars and you mean to say that we cannot find enough money to take care of that? I'm telling you all of us should bite the bullet and vote for this override. There's a famous saying, "Everybody wants to go to

heaven but nobody wants to die." Now, what you need to do is push those green lights. I implore you, I beg you, vote Aye. We need this, there's enough money here.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

I...thank you, Mr. President and Ladies and Gentlemen of the Senate. I apologize for having to follow Senator Hall; after that remark, it's going to be a difficult set. I'm not rising though to talk basically about education, I think we've said that. We've talked about what if we had said no to day care, what if we had said no to mental health. Well, I'm here to tell you I know a little bit about budgeting and, really, all we're here to say is no to the Governor. The Governor has used his prerogative, his amendatory veto to say no to sixty-two million dollars of spending. There's only one given in this entire budget procedure at this particular point, only one...only one given, Governor, and that is that we have eleven billion four hundred and some odd dollars, depending on who you want to listen to, the Bureau of the Budget or the Economic and Fiscal Commission, out of that, the Governor chose to cut education. Now, I would...I would just...I would just like to ask anyone here in this Senate to name any Senator who does not have a pork barrel project whose dollars may very well total sixty-two million dollars in its entirety. Everyone has some sort of a...a pork barrel project and anyone who says they don't, I'm sorry, I don't agree with. Secondly, I would concur further with the comment that was made by Senator Jones and Senator Netsch that what we're really talking about in this particular case is just good, sound management. A budget is a guide and I guess maybe I'm talking to the press and the audience and the people out there moreso than the people of this Body, 'cause I don't think we even fully understand what we're talking

about, but I want the people to understand that at this particular time there's one given and that is that we have eleven billion four hundred and eighty-eight million dollars which we assume is coming in in the way of revenues. How that money is spent at this particular point and as of July 1st is strictly a tentative guide...guideline, it's an outline of which to follow. The Governor can by his discretion cut sixty-two million dollars from any other program or programs that he desires. So when we vote today, and I hope we vote Yes for the override, remember, we are not saying no to anyone except we are saying no to the Governor that this Body should have some say in the budget procedure and I ask you to override the Governor's veto.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would rise in support of House Bill 483 and just let me say that in 1985 all of us in this Body who were here voted 57 to 2 for the year of education, for educational reform and we're all very sincere at that time. In this year, it's unfortunate, but the adjective of irresponsible is being thrown back and forth between those in favor of this override and those against it. And I think we should ask just what is the responsible thing to do here today, and in my opinion the responsible thing to do is to override this bill and restore sixty-two million dollars to the education budget. We like to say...and in the Governor's Veto Message he said that education is his top priority, but if this is such a top priority, it's one of the lowest top priorities in state history. You can't keep saying something is a top priority and then continue to cut it or lump it in with every other program and give it the same cut. That doesn't make it a top priority. It makes it just in the same group with every other program and there have been

other...other programs that have been cut less than education. I think that when we said it was the year of education in 1985, it didn't mean that two years later we should say it's the year of forgetting education, of putting it on the back burner now that the spotlights have dimmed on the issue of education. In that year, all of us were very much aware of the report "A Nation at Risk." We received many plaudits for those reforms and well-deserved reforms and plaudits they were, but now that it comes time to fund them I don't think that we should stand back and say, well, that was then and this is now. Every projection that has been sent to us from the Governor, from each of the Fiscal Commissions is that if we don't override this veto, we will have two hundred million dollars in our banking account on June 30th. Well, in November, we can say we don't have the money because of a cash flow problem, but what do we say at the end of June when we have two hundred million dollars? Cash flow shouldn't be used to keep education from being properly funded. Obviously, we have the ability to short-term borrow. We have the ability to borrow from existing funds in the state. We have the ability not to repay an existing loan or pay it back and borrow less money than the hundred million dollars. We have the ability on June 30th to end up with a balance of a hundred and thirty-eight million dollars which is what would happen if we override this veto. We all have good intentions when it comes to funding education and supporting education but, you know, there's an old saying that the road to hell is paved with good intentions and unless we act upon those...intentions by overriding this veto, I think that this may become the year of forgetting education. Thank you, very much.

PRESIDENT:

All right. The Chair will advise the membership, I have...been asked to entertain, by four different members,

motions to move the previous question and I have thus far, at least, resisted. At the moment, Senators Newhouse and Davidson and Maitland are the remaining speakers and I am prepared to entertain those. Senator Davidson.

SENATOR DAVIDSON:

Mr...Mr. President and members of the Senate, I had not planned on speaking about this motion but in the rhetoric that's been issued here and I've been one of those twenty people who served on the School Reform Commission and one of the two who said we'll have to pay for it. It was estimated in what it was going to cost additional each year to fund the School Aid Formula so that we could do this on a reasonable basis, assure the school districts a return of the cost and there was twenty people on that commission, twelve of them were legislators. I made the motion and the gentleman who voted No because the recommendation on the school form package which passed eighty-three or eighty-seven percent of that total package as we introduced it became law, which is highly unusual but commendable, he seconded the motion to raise the income tax one percent earmarked for education to pay for this additional new cost to school districts; and if that would have happened, there wouldn't be a crisis on funding today as we're having, it would have been taken care of. You know how many votes it got? His and mine. The other eighteen voted No, eleven members of the Legislature including the member of this motion to restore this money voted No. They did not act responsible then and if you vote to override and restore this money with the knowledge given to you by your own arm, the Fiscal Economic Commission, which we created, which is our people, our staff, then, ladies and gentlemen, you're not acting responsible. President Rock and I and two or three or four others at the most back in June when we talked about a modest half a percent income tax raise to fund the cost of education and some of the other projects

which you've all said is necessary in your area, we got turned down flat. It was so flat there was never a bill introduced. Part of you people who have spoke today to restore this said this, that and the other were ones who were vehement in opposition to any kind of an income tax or any kind of revenue enhancement. Now, it's time you're going to have to fish or cut bait, as they would say in central Illinois. Now those...all of those of you, Republican or Democrat, and I hope there's no Republican, that restore this money, I want all of you to be ready to raise the necessary new revenue. The most logical one is the income tax. I've heard from people on pensions who said, if it must happen, make it the income tax; if we don't earn it, we don't pay it. Now, ladies and gentlemen, vote your conscience but along with it, I'll assure you,...I want to get a copy of the roll call and if you're not on that vote to bring the new revenue, I'm going to do everything in my power to make sure the media in your district understands you're talking out of both sides of your mouth. You're saying spend the money but we don't want to pay for it. Now you can't have it both ways. Act responsible, vote No to restore this reduction and then let's get on with it and adopt some kind of a compromise and get ready when we come here in '88 to raise the necessary revenue to do what we must do to fund education for the future of all the future generations in Illinois. Thank you.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President, members of the Senate. It was very difficult for many of us as we left Springfield last July 1st or 2nd, whenever it was, when we saw the budget that we had passed was at best a level budget. I gave two years of my life in this Chamber to work with some of you on educational reform in Illinois. We made a strong

and a deep commitment, every one of us, House and Senate and the Governor. People across this state applauded our efforts. Senator Berman, you and I even traveled this country making speeches, praising what Illinois had done and helping other states get an idea as to what we had done. We're very proud of that and, yet, to leave Springfield this summer having virtually destroyed educational reform in Illinois was a trying experience for me and for many of you. To fund education through the State Aid Formula as we did was trying, to fund the categoricals as we had done was indeed trying. But, Senator Berman, you made the point in your opening remarks that this was the responsible...the fair way to restore the money. You and I both know, many other members of this Chamber know that when we worked to put together the budget in the spring and the summer, it's a very delicate balance, categoricals, reform, state aid so that all districts across this state receive a fair and equitable balance and I believe in that. When the Governor made those reductions, he did it in that same delicate reduction and maintained that...the integrity of that new balance. This does not do that. Small as it is, as suggested by Senator DeAngelis, it doesn't do that. So that in itself makes this effort, in my judgment, wrong but we have no other choice with respect to your motion, we all understand that. You spoke, Senator Berman, about the two hundred million dollars and there's nothing magic about that; indeed, there is. We have been told clearly by bond companies that that...that balance...that two hundred million dollars has to remain there or the cost of our bonds will go up and that then is a further erosion on general revenue and we can't afford that and must not. I, too, would like not to pay back the hundred million dollars but, keep in mind, when we borrowed that hundred million dollars, that was borrowed against the...on the message tax. We were pretty much assured that money was

going to be there. We needed the money to maintain the cash flow. The money has been paid back now. We have an obligation to pay it off. Much as I'd like to extend it or reborrow it or whatever, we simply can't...we simply can't do that. To go a bit farther. If you really, really know the true fiscal condition of this state, listen to where we're going to be some time in February on public aid, Medicaid reimbursement. Once we kick back the sixty days...kick back the...kick past the sixty days, we begin then to have to pay interest, something we've not budgeted for at all. That is going to be a drain on general revenue and it gets worse and worse and worse. Senator Brookins, Senator Jones, and others, the speech you all gave is one that you give when you're advocating a tax increase. That's where you should have been. It's not a speech to give now, much as we'd like to say that should be the way it ought to be. My friends, nothing I would rather do than to stand before you and urge the passage of this motion, elementary, secondary and higher education needed in this state but we simply cannot do it. To our friends in the gallery who, yes, cheered Senator Berman, let me say this to you. I've worked side by side with most of you in recent years and there's an old saying in a song that Frank Sinatra once sang, "Riding High in April, Shot Down in May." We could say the same about what we're talking about doing here today. If we override this reduction, you applaud us, some of us go home and say, gee, look what we've done, we have a nice Thanksgiving, a nice Christmas, a nice Happy New Year, but just as happened in 1983 after we overrode the Governor in 1982, we find that we don't have the money and we're shot down in May. I don't want that to happen. I think the responsible thing to do is to oppose this motion.

PRESIDENT:

All right. The Chair has entertained the motion to move

the previous question. So the final speaker before Senator Berman closes will be Senator Newhouse. Senator Newhouse, please.

SENATOR NEWHOUSE:

Thank you...Very much, Mr. President and, thank you, members of the Senate. This has been a long day but we're discussing now the single most important issue that will come before us during this Session, and what we have done in the main is talk the morality of the issue and all of us know that if we read even the popular media today that we're talking about a national crisis in education. We read about the permanent underclass, we read about the wall one system, all our systems of...education...education commission of the states, you name it, are talking about the crisis of public education; and what's going on while we're having a crisis in public education, other nations are making a commitment to education and now, all at once, we're not talking morality anymore, we're not talking helping...helping the helpless anymore. Our business community is vitally concerned about what's going on in education in this land. They're concerned for a number of reasons. Let's take a look at the demographics, what they tell us is going to happen over the next several years, not eons from now but over the next several years. Number one, the demographics tells us that the next population either for higher education and/or the job market is going to be largely minority and unprepared...and unprepared. On the other end of the demographic spectrum, we have an exploding elderly population. I think you ought to listen to me because a lot of us are about to join that, an exploding elderly population that is dependent upon social security, that is dependent on pension benefits, that is depending on exploding health care costs and the question then becomes who's going to pay for it? And one day, Grandma is going to walk down to the

mailbox and the check is not going to be in the mail; the check isn't going to be in the mail because those who could produce that revenue are now tax consumers rather than tax producers. Some of you may remember sometime ago when we bought goods from Japan and when we read that label it meant cheap and shoddy. If there's anyone in this building today who believes that that still exists, they're far out of it. As a matter of fact, if you walk out this door and walk to the nearest appliance store and attempted to buy any appliance made in this country, you'd be in difficulty. If we were ordered by the President of the Senate right now to strip off all our clothes and throw them in a pile in the middle of the floor, you'd see labels from Taiwan, from Korea, from wherever else; somebody in the United States is not sewing clothes. So what is happening is that our economic underpinning is at stake by virtue of the fact that we are not preparing young people...I'll wait, Mr. President. We are not preparing our young people to enter the market as tax producers. Where does our self-interest come in? The self-interest comes in here. If the next population for higher education, I spent twenty years on that committee, is not prepared for higher education, something funny is going to happen. Some departments are going to shut down, some institutions are going to shut down. I'll tell you a story. Years ago when Sugar Ray Robinson was fighting as a championship fighter, he had a tough manager named George Gainford. George Gainford was negotiating for a fight and a manager came in from Cleveland and said, George, we've got a stadium in Cleveland that has sixty-five thousand seats and George's answer was, yeah, but how many behinds are going to be in those seats? That's the issue, that's the question. If we're going to abandon the future of this country, and that's what we're talking about, rather than Illinois taking national leadership and demonstrating to this country what

can happen when the commitment in this country is made to education in this state. Right now there is an influx of students from almost every foreign land you can name; go to any of our higher education...institutions. You know what they're doing? They're studying our markets and planning to invade them even further than they already have. So we wonder why the market took a nose dive. You ain't seen nothing yet and unless and until we make a commitment to our young people to give them the opportunity...just the opportunity to exercise their natural inclination to study, to learn and to produce, what we are going to have on our doorstep is a catastrophe of unforeseen...that we...where we cannot foresee. Now I'm not...I don't think I'm overstating this case at all because if you look at what's happening right now and you think it's bad, then without the preparation that we can give by virtue of investing in education it's got to get worse and worse and worse. Come on, let's stop arguing morality, come on, let's stop talking about doing good for somebody else. Let's start talking about doing good for each of ourselves, let's talk about doing good for our communities. Let's talk about our community salvation. Let me wind up this way. Last night on television I observed something that was absolutely weird. A small community downstate was having a huge celebration. That huge celebration was by virtue of the fact that they had been awarded a prison and they were celebrating the fact that a prison was going to be built in that community. That prison was going to be the economic salvation of that community. Prisons are now a growth industry and no nation can live with prisons as a growth industry and some of our better brains are the inhabitants of those institutions. Is that what we want? That isn't civilization, that is not the multiratio, multiethnic land that we are proud of saying that we are. Let's face up to it, we have got an obligation. Ladies and

gentlemen, the buck stops here and we ought to accept that buck, get the dollars into the pot for education and build a future for Illinois that can lead this nation. That's where we belong. Thank you.

PRESIDENT:

Senator Berman may close.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I think it is a credit that we have spent this much time in debating a very important issue. Let me quickly address a couple of comments that I think require some response. Senator Kustra talked about a balanced budget and deficit funding. On June 30th or July 1st when we passed this budget, House Bill 483, that included the sixty-two million dollars, Senator Carroll, as chairman of Appropriations I Committee, read into the record that the budget that we passed was balanced in accordance with the mandates of the Constitution. Ladies and gentlemen, it is no different today than it was when that was read into the record and every one of us voted for it. Senator Geo-Karis, you said I didn't vote for Senator Carroll...Collins'...vote. I voted for her and I did not...no, I did not, I did not. Senator DeAngelis,...Senator DeAngelis, I think you do us all a discredit when you try as has been done in other times to pit one good cause against another. A few years ago we had the debate on the Floor where there was a question and I think former Senator Buzbee was involved in that debate as to whether it was public aid or education, that's not the issue, and it is not the issue today as to whether it is day-care funding or education or higher education and education or hemophiliac funding and education. The facts of the situation are this. Two weeks ago we passed a supplemental appropriation out of this Body that totaled in general revenue money sixty-nine million dollars. It only included twenty-

one million dollars for schools. Forty-eight million dollars of a lot of other things with only two million dollars in there for day care, only a half a million dollars in there for the hemophiliac treatments. It was a lot of pork, it was a lot of waste, it was a lot of not...of unimportant appropriation matters. If we're going to have a voice, if we, the Legislature, the Senate is going to have a voice in setting our priorities, this is one of our priorities that we must vote for, because if you don't vote for this one, you know what you're going to wind up with? Based upon the Governor's present posture that apparently everybody...or almost everybody on that side of the aisle is willing to signoff on is that you may get an...a supplemental appropriation of twenty-five million dollars of which, what, you're going to have five million dollars to your schools? six? seven? I doubt it, maybe. Is that the priorities that we want to set? You and I will be embarrassed, even though we'll probably vote for it, by what that supplemental appropriation is going to come back at and, yes, it will include day care, I certainly hope, and it will include the hemophiliac problem for a half a million, I hope. But should we...should we allow 3.2 million dollars for one school and not much more than that for all the rest of the schools? I don't think that should be our priorities. Senator Severns, I thought you had the best line for voting Yes. The Governor you said cut the meat and left the fat. We have the opportunity of correcting that. Senator Davidson, I recall the vote, let me point out to you that the report of that commission that was voted upon by every member except one, there was only one dissenting vote, recommended that the income tax was the best approach. We didn't say what tax should be passed but when we passed...Senate Bill 730, we included in there two new taxes to fund the programs for reform that were in there. I think that commission acted very, very responsibly, as I think

Senator Maitland pointed out. Senator Maitland, my good friend, who has stood with me on many of these issues and once in a while we differ, I think we're posed with this question. Last Tuesday many, many, many referendums failed. School districts are being faced with short dollars, they're not going to be able to pay their bills. They relied upon us to give them at least a flat budget, they weren't happy with it, but at least a flat budget. This is a step towards it. We, the state, is better able...the state is better able to address our financial needs and stay healthy than are many, many of those school districts. This is a question of one government addressing the needs of another. We're in better shape than many of those school districts. And, lastly, I think it's our obligation to set our priorities. We have a choice; if you want to vote for the children, you vote Aye. If you want to vote for the bond underwriters and the auditors, you vote No. I urge an Aye vote.

PRESIDENT:

(Machine cutoff)...question is, shall the item on page 1, line 10 of House Bill 483 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed will vote Nay and the voting is open. (Machine cutoff)...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 26 Ayes, 33 Nays, none voting Present. The motion fails. 783, Senator Kelly. Madam Secretary, on the Order of Motions in Writing, there's a motion with respect to House Bill 783. Read the motion, please. Clear the board.

SECRETARY:

I move that the items on page 1, line 19; page 1, line 20; page 1, line 21; page 1, line 22; page 1, line 23; page 1, line 24; page 1, line 30; page 2, line 22; page 2, line 23; page 2, line 24; page 2, line 25; page 2, line 26; page

2, line 27; page 2, line 30; page 2, line 33; page 3, line 1 and page 3, line 17 of House Bill 783 be restored, the item reduction of the Governor to the contrary notwithstanding. Filed by Senator Kelly.

PRESIDENT:

All right. Senator Kelly, we'll wait till the noise abates...(machine cutoff)..Smith, for what purpose do you arise, ma'am?

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand on a point of personal privilege.

PRESIDENT:

State your point.

SENATOR SMITH:

Thank you, sir. I'd like to present to this august Body the alderman and committeewoman of the...committeeman...I mean, committeeman of the 16th Ward...regular Democratic organization and, I might add, that she also chairs the Committee on Education in our city council. We are happy to have her in our Chamber this afternoon. Alderman Langford.

PRESIDENT:

Alderman Langford, welcome, again. Madam Secretary, take that motion out of the record on House Bill 783. Senator Newhouse. On the bottom of page 16, there has been a motion to accept specific recommendations for change on House bill 2193, if you wish to pursue that at this time. We're at the bottom of page 16, there have been three motions filed on the Order of Accepting Specific Recommendations for Change, and then there are motions in writing to override specific recommendations. We will go through those two orders of business and then we will proceed on the regular Calendar. We'll get back to it, sure. 2269, Senator Demuzio. On the Order of Motions in Writing to Accept Specific Recommendations for Change, Madam Secretary, there's a motion on House Bill 2269.

HB 2636  
Motion

Read the motion, please.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2269 in manner and form as follows. Amendment to House Bill 2269 in acceptance of Governor's recommendations. Filed by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

...thank you,....Mr. President and Ladies and Gentlemen of the Senate. This is in regards to the Illinois Farm Development Authority. The Governor removed the provision that indicated that it could provide bonuses to its employees. I would move that we accept the Governor's amendatory veto.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2269 in the manner and form just stated by Senator Demuzio. 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 53 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 2269 having received the required constitutional majority vote of Senators elected are declared accepted. 2636, Senator Luft. On the Order of Motions in Writing, Madam Secretary, top of page 17, ladies and gentlemen, there's a motion in writing with respect to House Bill 2636. Read the motion.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2636 in manner and form as follows. Amendment to House Bill 2636 in acceptance of Governor's recommendations. Filed by Senator Luft.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The Governor's specific recommendation changes the definition of common carrier by pipeline to include the conveyance of gas or any liquid other than water. There was a bill by Senator Jones that amended the definition of common carrier by pipeline and inadvertently deleted the word "gas" thus removing the ICC's jurisdiction over pipelines which transport gas. So I would move that we accept the Governor's specific recommendation as to House Bill 2636.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2636 in the manner and form just stated by Senator Luft. 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 56 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 2636 having received the required constitutional majority vote of Senators elected are declared accepted. Senator Newhouse, are you ready? Madam Secretary, on the same order of business, there's a motion with respect to House Bill 2193. Read that motion, please.

SECRETARY:

I move to accept the specific recommendations of the Governor as to House Bill 2193 in manner and form as follows. Amendment to House Bill 2193 in acceptance of Governor's recommendations. Filed by Senator Newhouse.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, this bill had several items under which there might have been some controversy. We...we've eliminated them all in accordance with the Governor's wishes. What happened is that the provision authorizing punitive damages it was felt would deter the rapidity with which these claims could be settled. So we agree that that issue should be deleted from the bill. We also suggested that there...that the expanded charges would put us in the position of having before the adjudication body...acts which could not now be proven in...in accordance with any rational concept of law. We've changed those provisions, we accept the Governor's amendatory vetoes and ask that this Body accept that action.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2193 in the manner and form just stated by Senator Newhouse. 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 59 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 2193 having received the required constitutional majority vote of Senators elected are declared accepted. Senator Philip, we're at the top of page 17. We're on the Order of Motions in Writing to Override Specific Recommendations. Senators Philip, Barkhausen, Joyce, Demuzio, Fawell, Demuzio, Dunn and Joyce. Motion in writing with respect to House Bill 177, Madam Secretary. Read the motion, please.

SECRETARY:

I move that House Bill 177 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Philip.

HB 692  
override

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Governor's amendatory veto unfortunately took out veterans' organizations in regards to Las Vegas Night. This simply puts it back in, veterans' organizations, fraternal organizations and civic groups.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 177 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed will 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 59 Ayes, no Nays, none voting Present. House Bill 177 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. 692, Senator Barkhausen. Madam Secretary, on that order of business, there's a motion in writing with respect to House Bill 692. Read the motion, please.

SECRETARY:

I move that House Bill 692 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Barkhausen.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, House Bill 692 had two separate features to it. First, it amended the Code of Civil Procedure to allow actions to be brought against a public entity in the county in which the transaction or a portion of it occurred. This is the same standard that applies in suits against private corporations and it was felt that the...the

same rule ought to apply in the case of lawsuits against public bodies of one kind or another. In addition, the bill was amended in Senate committee to provide the same Statute of Limitations against surety companies as that which would...apply to contractors. You may have heard in the last few days from either the Illinois Construction Industry Council or from the Illinois Trial Lawyers' Association with regard to this bill. The portion of it vetoed by the Governor was the...was the first portion I described having to do with suits against public entities. I normally don't side with those who want to make it easier to sue, but I do feel that...that this legislation, if we override the Governor's veto, will make it more convenient for...for all parties in such a transaction...or in such a lawsuit and to all...for all witnesses who might be called to testify in such a proceeding. I'd be happy to answer any questions and would otherwise ask for an override of the Governor's veto.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question? Will he yield for a question?

PRESIDENT:

Sponsor indicates he'll yield, I'm sorry, Senator Geo-Karis, yes.

SENATOR GEO-KARIS:

You are saying then that actions can be brought against a public municipal governmental quasi-municipal corporations on your bill in...in the county in which the transaction or some part thereof occurred out of which the cause of action arose. Could you give me an example of that?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

I...I don't have any personal familiarity with...with this problem but the House sponsor, Representative Countryman, described a possible situation in which one of the universities...part of one of the state systems even though based in another part of the state but because they are headquartered through the Board of Regents or the Board of Governors in Sangamon County has to be sued in Sangamon County even though their base of operations is, say, in DeKalb County or in McDonough County, in the case of Western or...or whatever the case may be. So this would simply permit the suit to be...to be brought in the case...in...in...in a particular case in the form which is most convenient for all the parties and where...in the forum which has the most nexus, I guess we would say, with the particular matter in question.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

By overriding this veto, what you're saying, it's not...making it a convenience for all the parties, it's just making a convenience for the suing party, isn't that so?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, I wouldn't think so, Senator Geo-Karis, because in the situation I described it would seemingly be more convenient for the university to defend a suit in its home county than to have to handle such a suit and to bring witnesses from a remote part of the state to Sangamon County to...to defend a suit. And...and in...and in any case, the defendant could move for a change of venue based on the forum known convenience...the most convenient forum doctrine and this does nothing to erode or change that doctrine.

PRESIDENT:

Further discussion? There are six members who have indicated their willingness to speak on this issue. Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. A...a question of the sponsor.

PRESIDENT:

Indicates he will yield, Senator Keats.

SENATOR KEATS:

Although I...I support what the bill is basically doing, this is a question that I know what the answer is, I just want to ask the question so it's in the record. It was explained to me by an attorney and I...I know he's wrong but I'm saying this. He said...and I'm using an example, the Metropolitan Sanitary District by truck ships sludge to Fulton County. He said based on this, the transaction, since that truck drives through a dozen counties, then reality the point at which he could be sued is not Cook County and not Fulton County, it is any of twelve counties in the middle. I know that is not correct. I just ask you to reaffirm that in my question.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Someone could attempt to bring a suit, I suppose, in any one of those counties but it would be subject to a motion to transfer the suit to...to the most convenient county which presumably...if you're talking about a...a vehicle accident which would presumably be the county in which the accident occurred.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I don't think I've ever been opposed to...any of

Senator Barkhausen's bill but I...I will tell you this, that hypothetically DuPage County could sue the City of Chicago in DuPage County. Now you think about that. We're certainly not interested in doing that and it works the other way. If Will County had a problem or we...they thought they had a problem, they...they could sue DuPage people in Will County and vice versa. I don't think it's a good idea, you're going to end up with everybody suing everybody else in their own county for political purposes and, quite frankly, I don't think we ought to allow them to do it.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDENT:

Indicates he'll yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Barkhausen, if your motion to override fails, would you move to concur with the amendatory veto?

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

I might do that if I could but I don't think I can because the motion to override has already been approved in the House.

PRESIDENT:

Yeah, I think...the point is that we can only do what the House did. If we don't do what the House did, it's dead. They're House bills, what can I tell you. Senator Geo-Karis.

SENATOR GEO-KARIS:

I simply want to state that I have a conflict of interest and will vote...be voting Present.

PRESIDENT:

Senator Keats. I guess not. Senator Barkhausen, you

wish to close, if there's no further discussion? Senator Barkhausen to close.

SENATOR BARKHAUSEN:

Well, Mr. President and members, I only seek to clarify again that...that the portion of this bill that seems to be somewhat controversial has to...has to do with the question of the forum in which a suit can be brought, and I would simply make the point that I tried to make initially is that the bill simply permits a...a suit to be brought in...in the most convenient forum. Now, DuPage County might not want to defend a suit in...in Cook County and it wouldn't have to defend a suit there if the transaction didn't occur in Cook County. The...the forum for the suit would be...would...would certainly be and would continue to be the forum which is most convenient for all the parties, and any suit brought in another county or another forum would be subject to a transfer into the county or the forum which had the closest connection with the suit. So I think that the bill makes eminently good sense from a civil procedures standpoint, and I would simply ask for your support of this motion to override.

PRESIDENT:

(Machine cutoff)...question is, shall House Bill 692 pass, the specific recommendations of the Governor to the contrary notwithstanding. 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 35 Ayes, 20 Nays, 1 voting Present and the motion fails. 717, Senator Joyce. Motion with respect to House Bill 717. Read the motion, Madam Secretary.

SECRETARY:

I move that House Bill 717 do pass, the specific recommendations of the Governor to the contrary notwithstanding.

Filed by Senator Jerome J. Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the low-level radioactive waste siting bill. We passed this quite overwhelmingly and...and it...it also passed in...in the House and...and then we had some discussions about problems with this bill, and people in the Governor's Office came to me and...and we thought we had a...the...the situation worked out; in fact, we did have it worked out, but then the House sponsor at the last minute changed his mind and...and overrode it 108 to 2. So we don't have a choice on this, it...it seems to me that we had better pass it the way it is and try and work out any problems we have with it later. And...and the reason we had better pass this, it seems to me, is that I'm very sincere about the...about siting a low-level radioactive waste facility in this state. We just have to do it and people in the counties that are considering this or any county that would have to consider it are very insistent and they're very leery also of this situation and they want to have some kind of a say in whether or not this is located within their boundaries. It tracks 172, the same siting provision we have for siting a landfill. The Governor's rationale in...in his amendatory veto was that he was worried that it...this might jeopardize Illinois status as an agreement state. I have a letter here from the Nuclear Regulatory Commission saying and I quote, "It is our...our judgment that if this bill is enacted as enrolled, it would not affect the agreement state status of the State of Illinois." The Governor also said that the local zoning could take care of problems that would be created. That's not the case either because there are many counties in this state that don't have zoning; in fact, LaSalle County, part of my district, does

not have zoning. So I think we ought to sign...or override this and then in the spring try and deal with it. We...we tried to put this in a Conference Committee report and had no luck in the House. So, I...I...I...it seems to me we don't have a choice. I'd be happy to entertain any questions.

PRESIDENT:

(Machine cutoff)...Haitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. Senator Joyce, I...I agree with you, we're kind of in a...in a difficult situation here, and I know that...that I've spoken with you about this earlier and...and my reason for opposing the bill last spring was...was...pretty much embraced the Governor's amendatory veto...veto language and I think you have agreed that that language was okay and it's unfortunate what happened in...in the House. I...I guess my only hope would be that...that if...maybe if this...this motion failed, it would lend some support for us to attempt to get that language on a couple of vehicles that we know that are out there. I'm not familiar with the letter that you've got, that's...that's a new...that's a new one for me, I assume that there was no possibility here of being granted the license under these conditions and nobody I don't think in this Chamber is going to argue the siting cons, I think we all agree with that. That ought to be there and I agree but it does disturb me that if we...if we do this, we may be doing something here that's going to be impossible to...to reverse and I am...I guess I'm suggesting that we...that we oppose your motion with the hope that we can get the language into a...into an available vehicle.

PRESIDENT:

Senator Karpel, discussion?

SENATOR KARPIEL:

Thank you, Mr. Speaker. Well, I guess I...I have the

same concerns as Senator Maitland. It was my understanding that if we do, in fact, override the Governor's veto on this that the State could lose its...licensing authority over a facility. You're saying no and you have a letter there you said that would say...I see, Senator Maitland has it. What would happen, Senator, if we did, in fact, sustain the Governor's veto on this and, of course, it would kill the bill, I understand, that because of the...what happened over in the House. Couldn't we go back in spring and put together the bill as we now know everybody could agree to?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, we could but the problem is they're starting to site the facility right now and they're talking to counties...a number of counties in this state and...and...and if they know...the counties know that we don't have any provision for them to have a say in...in the siting, I think it's going to put...make them very, very leery about accepting anything. We have many counties already that have gone before...or their...their county board and have said, you know, we don't want it and we've passed...they've passed resolutions saying you're not going to put it in our county. The department has said...they won't put it where they're not wanted, I mean, that's...that's a given, but those people on the county board...this is a very political and emotional issue. They want some assurance that they can tell their constituency that, you know, we...we have the ability to turn this down, we can say, no, we don't want it, so that way we can look at this and...and feel that we're being threatened by Big Brother, the State of Illinois.

PRESIDENT:

Senator Karpziel.

SENATOR KARPIEL:

I just want to say thank you. I see the letter here and I certainly hope this is the case and that's the way they will take it.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I certainly rise to commend the sponsor on the way that he is trying to handle this dilemma. I...I admire you, Senator Joyce, for really wanting to have this bill go into a Conference Committee Report, I think it...is where the bill belonged. We're all in a...untenable position here of not really knowing which way to go. I guess that...that I reluctantly have to rise...I have seen the letter, we were getting mixed...signals on what was coming from the Federal Government over this whole issue, but we have certainly seen the letter. I...I have to say that...that at this point, I would agree with Senator Maitland and...and...and recommend that the members think very carefully about this and maybe we reject the override although it does put all of us in a very difficult position. So I guess the members just have to have listened to what we've all been talking about here and vote the best way they feel...in the best interest of the state.

PRESIDENT:

Any further discussion? Further discussion? Senator Maitland.

SENATOR MAITLAND:

...thank you, Mr. President. I apologize for rising a second time on this. I...I wonder...we've not...we just now saw the letter and indeed it's legitimate, don't know why Nuclear Safety didn't receive a copy of the letter or the Governor's Office. Would there be a chance, Mr. President, getting back to this order of business tomorrow and...

PRESIDENT:

There would.

SENATOR MAITLAND:

There would?

PRESIDENT:

There would, yes. You want to hold it till tomorrow, Jerry?

SENATOR MAITLAND:

I appreciate that.

PRESIDENT:

Sure. Take it out of the record, Madam Secretary. Yes, we will be sure to get back to it. How about 805, Senator Demuzio. Madam Secretary, on the Order of Motions in Writing to Override Specific Recommendations, there is a motion with respect to House Bill 805. Read the motion, please.

SECRETARY:

I move that House Bill 805 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. 805 was a bill that...exempting a tiny, small, minuscule parcel of...of a community out of Madison County from the Vehicle Inspection...Emissions Inspection Program. The Governor didn't see kind to that and I would ask that the members of the Senate to move to override so that we could, in fact, exempt out by zip code Foster Township in Madison County from the provisions of the Vehicle Emissions Inspection Program.

PRESIDENT:

Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. Will the sponsor yield for a ques-

tion?

PRESIDENT:

Indicates he'll yield, Senator Fawell.

SENATOR FAWELL:

Senator, our staff has a...a copy of a letter in his hot little hand that says in effect that there is no way that...that the EPA can figure out who lives in these townships because we don't put townships on the Secretary of State's computer list. You know, I'm sure,...I'm sure you remember that I've been trying to get rid of this program since its conception, and I would be perfectly happy if you would be willing to put in a bill and say let's give it to the whole darn thing, I'll even join you as a cosponsor. I want...understand one of your colleagues is already doing that and I have suggested that I would join him and I would hope everybody else would. But, you know, as long as we can't do it and...and I will be happy to show you this letter since we're passing letters around. It says it can't be done.

PRESIDENT:

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

SENATOR DEMUZIO:

Yes, we were...we...we are told that, in fact, can be done. I don't know to whom your...you have your letter but I am told that the EPA has a way to...to do this and...and, Senator, I would be most happy to work with you in regards to the...the bigger problem that...that you might have in the next Session. I would move that we move to override the Governor's specific recommendations for change.

PRESIDENT:

The question is, shall House Bill 805 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed will vote Nay.

The voting is open. All voted who wish? 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 32 Ayes, 19 Nays, 1 voting Present and the motion fails. 1256, Senator Fawell, motion in writing. On the Order of Motions in Writing, Mr. Secretary, there's a motion with respect to House Bill 1256. Read that motion, please.

ACTING SECRETARY: (MR. HARRY)

I move that House Bill 1256 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Fawell.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much. This is a bill that Representative Steczo had over in...in the House that I picked up, and basically what the Governor's veto did was extend from Cook County to all the collar counties the right of first refusal by the Forest Preserve District. There are some other things in this bill; obviously, since that was the sponsor's will, I would ask you to concur with it and override the Governor's veto.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 1256 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed vote Nay. The voting is open...(machine cutoff)...voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 31 Ayes, 19 Nays, 2 voting Present and the motion fails. 1320, Senator Demuzio. On the Order of Motions in Writing, there's a motion with respect to House Bill 1320. Read that motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

I move that House Bill 1320 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Demuzio.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Yeah, thank you, very much, Mr. President. This bill when it left this Chamber and the House provided a provision that said that two actual grain trucks could...that were hauling sweet corn or soybeans or wheat could be exempt from the thirty-five percent overweight provision. The Governor didn't seem too kindly to that and he, in fact, took it out. I would suggest to you that this expression of support from the Senate when it passed here was overwhelming, and I would move that we...that we override the Governor's specific recommendations for change.

PRESIDENT:

Discussion? Senator Severns.

SENATOR SEVERNS:

...thank you, Mr. President, members of the Senate. I rise in support of this bill and ask that my name be added as a cosponsor.

PRESIDENT:

The lady seeks leave to be added as a cosponsor to House Bill 1320. Without objection, leave is granted. Senator Watson.

SENATOR WATSON:

Thank you,...thank you, Mr. President. I'd like to rise in opposition and support the Governor in his actions in regard to this legislation. What his action does is...puts us back to the current law, of course, and in that current law we have a capability now of a farmer or someone who is going to be possibly traveling with overweight truck to file with the Department of Transportation and ask for a certif-

icate and a permit to travel the roads with this overweight vehicle. Now that...what this particular...legislation does then is come in and say, well, you don't need that permit. Why do we want the Department of Transportation to have that authority? Well, one reason is because they know the traffic, they know the bridges and they are, of course, concerned with...with an overweight vehicle traveling on a road and...and especially a bridge which may not be able to...handle this particular weight. So I think that the proper vote in this regard would...of course, be to concur with the Governor's action. There are also the township officials, the Department of Transportation, the county superintendents of highways and the midwest truckers also support the Governor's action on this particular legislation. So I think the proper vote is No. Thank you.

PRESIDENT:

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Mr...Mr. President and members of the Senate, I rise in support of this bill. It doesn't have anything to do with the load limit on bridges are posted, and if the bridge has a ten ton limit then regardless of...of what the overweight is you can...you can't cross that bridge if it's...if it's more than what's posted on the road, and all bridges that do have a weight problem are posted and the...the permit that...it's required a lot of times...farmers are required to have dozens of permits, because they farm in different areas and all to travel on certain roads. But this doesn't have anything to do with violating the bridge laws at all and I think it's a good piece of legislation and should be passed.

PRESIDENT:

Discussion? Any further discussion? If not, the question is, shall House Bill 1320 pass, the specific recommendations of the Governor to the contrary notwithstanding. 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 36 Ayes, 21 Nays, none voting Present. House Bill 1320 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you. I'd like to ask for a verification.

PRESIDENT:

That request is in order. Will the members please be in their seats. Senator Watson has requested a verification. Will the members please be in their seats. Mr. Secretary, read the affirmative votes.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Barkhausen, Berman, Brookins, Carroll, Collins, D'Arco, Degnan, del Valle, Demuzio, Ralph Dunn, Thomas Dunn, Hall, Hawkinson, Holmberg, Jacobs, Jones, Jeremiah Joyce, Jerome Joyce, Karpel, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Poshard, Rigney, Savickas, Severns, Smith, Vadalabene, Weaver, Welch, Zito, Mr. President.

PRESIDENT:

(Machine cutoff)...sorry. Senator Watson, do you question the presence of any member?

SENATOR WATSON:

Yes, Senator Jones.

PRESIDENT:

Senator Jones on the Floor? Senator Jones on the Floor? Strike his name, Mr. Secretary.

SENATOR WATSON:

Senator D'Arco.

PRESIDENT:

Senator D'Arco on the Floor? Yes, Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Well, it's...it's my understanding that both of these gentlemen are currently in the conference room on the...on the pension bill.

PRESIDENT:

That is correct.

SENATOR DEMUZIO:

And it seems to me...

PRESIDENT:

Along with Senator Schuneman and Senator...who else, somebody is in there.

SENATOR WATSON:

Well, I was not aware of that.

PRESIDENT:

I'm sorry. I...I...Senator Philip and I kind of excused them.

SENATOR WATSON:

Senator Collins.

PRESIDENT:

Senator Collins is in the center aisle.

SENATOR WATSON:

Okay. Karpel.

PRESIDENT:

Senator Karpel. Senator Karpel on the Floor? Strike her name.

SENATOR WATSON:

Senator Poshard.

PRESIDENT:

Senator Poshard is seated in the Chamber. All right. The roll has been verified. Mr. Secretary...(machine cut-off)...has been verified. On that question, there are 35

Ayes, 21 Nays and the motion fails. Senator Dunn on 2410.  
Mr. Secretary, on the Order of Motions in Writing, there's a  
motion with respect to House Bill 2410. Read that motion,  
please.

END OF REEL

REEL 24

ACTING SECRETARY: (MR. HARRY)

I move that House Bill 2410 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Tom Dunn.

PRESIDENT:

Senator Dunn.

SENATOR TOM DUNN:

Thank you, Mr. President. This is the hospital bill dealing with traumas and this ensures that any hospital meeting the objective criteria may become a trauma center. This bill was overridden in the House...by a hundred and fourteen. I understand there were some objections and I have spoken to Representative Wennlund who has assured me that he will introduce a separate bill, introduce...or addressing the Governor's objections. So, with...with that assurance, I ask that a...be a Yes vote on the override.

PRESIDENT:

Discussion? Any discussion? If not, the question is, shall House Bill 2410 pass, the specific recommendations of the Governor to the contrary notwithstanding. 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 46 Ayes, 4 Nays, none voting Present. House Bill 2410 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. 2728, Senator Joyce. 2728? On the Order of Motions in Writing, Mr...Mr. Secretary, there's a motion with respect to House Bill 2728. Read that motion, please.

ACTING SECRETARY: (MR. HARRY)

I move that House Bill 2728 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator J. E. Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. This bill would provide that children who are receiving education on sex abuse in the kindergarten through the eighth grade, their parents would be able to send a letter to the school requesting that the child not be included within that program and the child would then be exempt from it. Now the rationale that the Governor has provided in vetoing this is that this type of child...this child who is being sexually abused by a parent would be, in fact, the very child who would be exempted because the parent who was involved in this would send a letter so that he supposedly would not...or she would not be uncovered as a result of the child being educated as to what was happening to him or her. It's a matter of opinion. I...I just disagree with that. It seems to me that if a parent is doing this, and a parent...a parent is abusing a child and is...then sends a letter, that he is highlighting and bring...bringing attention to the fact...of this whole situation. I don't think it would be likely the parent would do that. But it also makes one other...assumption which I...I believe is erroneous and that is that the...the...the parent is...is always the person involved in this sex abuse situation. I just don't think that's the case. I think that there are people for legitimate reasons who do not want to trust their children to the school system for...to receive this information, particularly at the...at the lower age level; and I think if a parent is concerned about that and I think if you're talking about children that are seven or

eight or nine years of age and a parent does not want some teacher that he does not have that much confidence in with respect to this type of material instructing his child on it and wants to handle it himself, I think that he, in fact, or she, in fact, should be able to do that. And so I would ask that we override the Governor's veto on this matter.

PRESIDENT:

Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, it seems to me that Senator Jeremiah Joyce is precisely right in what he's had to say. I think the Governor's reasons for his veto were erroneous in this case, and I might tell you that part of the genesis of this bill came from an experience that some of us had in my very district where a child was traumatized through exposure to sexual instruction and the child in turn hesitated for many days to explain this to...situation to the parents. The parents were puzzled as to what had happened and finally...finally found out, but I think the provisions of the bill that simply provide for notification and then if the parents do not wish to have their child attend these classes should be...should be honored and the Governor's action tends to, I think, vitiate or to eviscerate the real intent of the bill and I would urge also an override of the Governor's veto in this case.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Just a brief question. Senator Joyce, you alluded to the...to the rationale of the Governor's veto and I...I didn't hear...excuse me, I heard most of what you said but I didn't hear your reasoning about why a parent who perhaps might be abusing a child might be the very parent who might send the letter, and what...what

was your basis for saying that...that...I really didn't hear it.

PRESIDENT:

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, it would seem to me that if...if you were abusing your child and you sent a letter to the school saying I do not want my child involved in receiving this program from...from Mr. Jones or Mr. Smith, seems to me that the principal at the school would say, hey, what's going on here, why would this...why is this parent doing this? And it seems to me that a parent would be less...who's involved in this type of thing would be less likely to do that. I think we are dealing totally with a situation where you're talking about a parent's concern, maybe out of religious motivation or whatever, for handling this subject themselves.

PRESIDENT:

Further discussion? Further discussion? Senator Collins.

SENATOR COLLINS:

...Senator, ...question of the...

PRESIDENT:

Indicates...

SENATOR COLLINS:

...sponsor...

PRESIDENT:

...indicates he'll yield.

SENATOR COLLINS:

...and...and I...Senator Marovitz, I think, hit on the...hit on the subject. You're saying that you're opposed to the Governor's amendatory veto because in his analogy is that the parent would...those parent that would be abusing the children would more likely not have their children involved in any kind of sex education to...I mean, for detec-

tion of abuse classes, and...therefore, they would...they would automatically send a letter. Is that what the Governor is saying? I...I'm trying to find out what's your objection to the Governor's Message and I thought it was very clear as what he's saying is that the...the parent who was probably abusing the child would be more likely to write a letter objecting that the child not participate in the education program. Is that correct? Is that the Governor's rationale? Okay. Well...well, I...I really tend to agree with him. I...I have to believe that that would happen probably more often than it would happen in the reverse, because in the first place, if the schools just simply suspected that something is going on there without any kind of evidence or anything to go on, they got no authority unless they saw some actual abuse on the child to follow up on it anyway, and I think most people know that and...and especially those persons who...who know that they are abusing their child is smarter than, you know, we may give them credit for. So, I...I tend to agree with the Governor in this case.

PRESIDENT:

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

SENATOR JEREMIAH JOYCE:

Roll call.

PRESIDENT:

Question is, shall House Bill 2728 pass, the specific recommendations of the Governor to the contrary notwithstanding. 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 48 Ayes, 3 Nays, 1 voting Present. House Bill 2728 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding.

ing. If I can have your attention, ladies and gentlemen, Senator Philip and I met earlier today and agreed that we would...at the request of a number of our members and at the request of House members, we would move through the Calendar and so we can probably plan on working for at least another hour to get through this stuff. We will move to Senate bills 3rd reading, with leave of the Body, to take up Senate bill 1268. Then we'll move to House bills 3rd reading to take up House Bill 911...911, it's on page 4; then we will move to the bottom of page 6, Senator Philip, at the Governor's request, wishes to nonconcur in Senate Bill 1229 and put that in a Conference Committee; then we'll move to House Bill 2350, Senator Marovitz wishes to recede from Senate amendments; and then we will go on the Order of Conference Committee Reports and there are a number of reports where the members have indicated they wish to go to a second Conference Committee and those are relatively easily handled. Those, I suggest, that where members wish to pursue and pass or submit for approval, we ought to let the Secretary know so that copies can be distributed. We do have copies available. And, so, why don't take just a couple of minutes and if any of you have reports that are, in your judgment, ready to go first time around, let's let the Secretary know so that those copies can be distributed so the members will have them at hand. They were all distributed last June and I think Senator DeAngelis and I were the only ones that took them home and read them over the summer...that correct? Yeah. That's what I thought. All right, with leave of the Body, let's move to the Order of Senate Bills 3rd Reading. Senator Savickas. On the Order of Senate Bills 3rd Reading, middle of page 3, is Senate Bill 1268. Read the bill, Mr. Secretary, please.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1268.

(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 1268 as amended does one thing. It prohibits the ICC without any request from arbitrarily raising rates. It prohibits them from doing it on their own without having a request in or input, pro or con, about those rate increases. That's all it does. It sets no rates. It wishes to set no rates. It just does one thing only and that's to, hopefully, to prevent any other occurrence of what happened this summer where the rates were doubled in an experimental provision that they thought would...would be useful to us. I would seek your passage of Senate Bill 1268 in its amended form.

PRESIDENT:

All right, discussion? Senator Savickas has moved for passage of Senate Bill 1268. Discussion? Senator Schaffer.

SENATOR SCHAFFER:

I...been aware this bill has been on the Calendar and I've been a little curious about it. I have several hundred pieces of mail from CU5 on 401. I have nothing on this bill. I have no correspondence from anyone on this bill and yet it's...it's obviously been around awhile. How do the utility companies feel about this bill? Whose bill is this critter?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, Senator, obviously, we didn't hear from your favorite organization, CUB, because this doesn't put money into their pockets. Now, obviously, this does what they should be doing instead of seeking funds all the time and that is to prevent unauthorized or unsolicited rate increases. It came

about...when you asked who wanted the bill, I did and some of my colleagues because when I raised hell with Edison Company because of the size of my bill over the summer, they said they never requested the rate, that the ICC did this on their own without any request from anybody. So, I can't yell at them since they didn't seek the rate. I can only try to do what my constituents sent me down is to protect their interest and prevent the ICC from, again, initiating, at their own pleasure, another rate increase for some other purpose without allowing any input from either the utilities, from concerned groups such as CUB, from concerned legislators such as you and I to prevent this. That is the genesis of this bill.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I rise, I guess, to...reluctantly to oppose this bill. I...you know, I certainly understand where Senator Savickas is coming from, but the Commerce Commission...of course, has said that they don't know what this particular piece of legislation will do in terms of their authority. We...you know, we have a system in this state for one reason only of Commerce Commission approval of...rate making and rate setting; and, once again, I...I believe that this particular piece of legislation will erode that power by the Commerce Commission and I would...I would suggest that we ought to be very, very cautious about passing this particular bill. So, I stand to oppose this particular piece of legislation.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor, Mr. President.

PRESIDENT:

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Savickas, there's been some question as to whether this bill prohibits an individual from filing a petition for a rate decrease or a decrease in the winter/summer rate differential. My understanding is that this bill only allows for a change to be made in the tariff if it's done by the utility company. Could you clarify who can file for a change in the winter/summer rates?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, Senator, obviously, the one that brought up that concern was Monte from CU8, a man who's spent much time and interest in this field. He doesn't know if it prohibits or...or does inhibit them from doing anything. They don't know and yet they expect me, who is a novice in this field, to give them the answer. I don't know. Our staff indicates that it does not, that it has nothing to do in that area. So, with that in mind, and the only thought is to prevent the ICC from raising these rates, that if there is a question, I will join you and whoever else is interested to provide the necessary legislation when we do. I don't know if they can do it. I don't know if they can't. This is...this wasn't meant to prohibit any group from addressing the ICC on a rate increase or decrease. All it did was to prohibit the ICC from arbitrarily without seeking or publishing or notifying anybody from doing it on their own, which they do not have the statutory authority to do.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Senator, perhaps if you would state as a matter of legislative intent for the record that it is your intention that this bill not prohibit or restrict any rights of individuals

or groups to file petitions before the Commerce Commission to lower the winter/summer rates that might clarify the situation. Is that the intention of this legislation?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Senator, as I said, the intent of this legislation is neither to prohibit any group from filing a rate increase or decrease regarding the rates. It's just to prohibit...the intent of this legislation is to prohibit the ICC from arbitrarily using their authority and it's not...and the question is not statutorily granted to them and that's why it...went into this section to prohibit them from raising rates without any hearings or any requests.

PRESIDENT:

Further discussion? Senator Keats. Senator Schaffer, you still got your light on. You want to go a second time? Okay. Senator Keats.

SENATOR KEATS:

I...I just wanted to raise a point in defense of Senator Savickas and this bill. I think we are overanalyzing the piece of legislation. The point of this is to outlaw a rate system we, the Legislature, never okayed and never gave the Commerce Commission the right to do. They raised summer rates dramatically alleging it would cause conservation. Well, you know when it's ninety-five degrees, a little old couple are going to turn on their air-conditioner 'cause it's ninety-five degrees and they have to get some relief. Instead of helping hold down consumption, all you did was dramatically raise the rate for them. All we're saying is, this was a nice idea but it wasn't geared for summer that averaged about a hundred and one degrees a day. The Commerce Commission never had our authority to do this, they did this on their own. It turned out to be a dramatic rate increase.

They haven't got the nerve to admit they screwed up, so we are simply cleaning up an accident that should never have happened. I think we're overanalyzing it. Senator Savickas has a fairly simple solution to a fairly simple problem. We ought to just pass it and get on to the next bill.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. One question of the sponsor, please.

PRESIDENT:

Indicates he'll yield, Senator Netsch.

SENATOR NETSCH:

Senator Savickas, my recollection is that there has been a differential in existence for some time, a...a summer/winter differential, if you want to call it that. Does this bill address that question or does it address only something in addition to that that was done on its own motion by the Commerce Commission?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

It addresses the problem that the...it has nothing to do with rates. It has nothing to do with setting rates. It has nothing to do with differentials that were authorized by the Commerce Commission, through public hearing and through a request. All it does is say that they cannot on their own raise the rates without a request, that someone must request it...and once the request is made, then you have public hearings and public input on whether that should be granted, and that's all this is. You can't do it arbitrarily without letting the public know and letting...have the input into it.

PRESIDENT:

All right, we have two that indicated they wish to speak for a second time. Senator Schaffer.

SENATOR SCHAFFER:

Two quick questions. Does this Act repeal the summer rate? And secondly, if, for instance, the Commerce Commission in their regular audit discover that utility X had been dramatically overcharging their customers, would this bill prohibit the Commerce Commission from lowering the rates of that utility until such time as that utility came in and formally requests some sort of a change? What I'm suggesting is that I think we're all...we all are...unhappy with that summer rate. I'm not sure this bill will address what's already in place, so it may not be meaningful in that area, but my major concern is if you say the Commerce Commission doesn't have the right to do anything with the rate unless the utility comes in and makes a request for some sort of a...a rate increase, presumably, then if they discover that a utility and...and don't forget we deal with all these little water companies and all that, has just been ripping off it's customers, that they can't go in and correct that situation until that utility asks for a rate increase. Now, obviously, that utility will ask for a rate increase right after the lower reaches freeze over. Does it prevent the Commerce Commission from coming in and lowering rates where they deem it justified until such time as the utility does something to trigger it and will it do away with the current summer rate?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

As far as...the intent of the bill, it just provides that they cannot approve a disproportionate rate. Now, the intention of the bill is not to allow them...the intention of the bill is just to prevent the allowance of the increase of the rates without the hearing. If...if over these next months you find in your discussions with you colleagues and your attorneys that there is a question, we can change it; but at

least let us put it on the books, let us get it passed, let us show that the Commerce Commission...that we did not grant them that statutory authority and that we are putting legislation in to prevent them from ever exercising authority that they never had.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDENT:

Indicates he'll yield.

SENATOR GEO-KARIS:

My understanding what your bill...in essence wants to do, and correct me if I'm wrong, is to prohibit the approval of any rate charges or classifications which will result in...in rates of...electricity generated...being established by any authority other than the commission. Isn't that right?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Senator, that was the original bill before it was gutted and amended. That was a bill put in...that was sitting there looking for its opportunity to be useful to...to the Legislature and we amended it and it's changed the language.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Just briefly, Senator, just tell me what will the...what...what will the bill do? Just briefly, that's all. I...there's been too many variations here. If you just give me a straight story.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

All right, Senator, here's the straight story now. This is the real story. It's got a one sentence amendment designed to prohibit the ICC without a request from anybody to arbitrarily just increase the rates without providing input from either the utility or from concerned groups or concerned citizens or concerned legislators.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

In other words, without a hearing? Is that...all right. I'd like to be heard.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Mr. President and Ladies and Gentlemen of the Senate, there's nothing wrong with this bill; for heaven sakes, I think we're entitled to have a hearing. We've been gouged long enough by the public utilities and I think it's a good bill and I certainly support it.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Couple of questions of the sponsor.

PRESIDENT:

Indicates he'll yield.

SENATOR SCHUNEMAN:

Senator, the...the language in the bill says that the commission shall not approve any disproportionate difference. What does that mean? What is a disproportionate difference?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, obviously, that will be...again, interpreted by the

ICC. The...the intent that that point in our...in my memo...was for...that word was "increase." When it came back from the Reference Bureau it was "disproportionate." If that's the proper terminology, that's fine. Again, the...the intent is to answer that one specific problem. If this word is not the appropriate word, I will come back and amend that word. I don't want to presume that each and every word now is...is questionable. The...the intent is one thing. If there is a problem with the wording, I will be glad to join whoever will help me to clean it up.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you. I'm not critical of your language, I'm just curious about your language. When it says disproportionate, I'm not sure what that means. One other question, Senator. What is the position of Commonwealth Edison and Illinois Power Company on this bill? If you know.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Well, as far as I know, our staff, with the Reference Bureau, was joined by representatives from the Commonwealth Edison in drafting it. Illinois Power, I understand, has not contacted me and raised any objection. Our staff has indicated that they haven't received any...objection from them. Again, it was done for one purpose only and we're trying to reach that end.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I don't...I don't know that it's any clearer in my mind right now what we're doing...I...I have not received any position paper from the

AB 911  
3rd Reading

utility companies on this issue and...and I know the last thing I want to do here is vote for some obscure language that may somehow...result in an increase in utility rates. So, I'm a little bit concerned about the language although I would applaud what the...what the sponsor is saying, but it...it seems to me the language may not do that.

PRESIDENT:

Further discussion? If not, Senator Savickas may close.

SENATOR SAVICKAS:

Yes, Senator, I'm...I just want to remind that...the office of the Illinois Public Counsel who counsels the utilities in this matter suggested this language; and with that, I would seek your support.

PRESIDENT:

The question is, shall Senate Bill 1268 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 53 Ayes, 1 Nay, 4 voting Present. Senate Bill 1268 having received the required constitutional majority is declared passed. All right, with leave of the Body, we'll move to the Order of House Bills 3rd Reading, bottom of page 4. Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

House Bill 911.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 911 authorizes municipalities...excuse me, House Bill 911 authorizes municipalities and counties to impose a surcharge on telecommunication carriers to implement

or improve in a 911 emergency telephone system. This amendment is the product of meetings between telecommunication carriers, local officials and the ICC. All parties involved agree to this amendment and in order to impose this surcharge, the unit of local government must adopt an ordinance to impose the surcharge and order a binding referendum on the question of whether the residents want the surcharge added to their phone bill for newer improved 911 system. This bill, as I indicated, has been agreed to by all parties concerned. There is a concern from the City of Chicago in regards to the referendum; however, they have indicated in the spirit of cooperation they would come back in the spring and address that problem. And, as a matter of legislative intent, this bill would not impact on bypass companies, and with that, I ask for your favorable support.

PRESIDENT:

Discussion? Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

Simply to say that I have a conflict of interest and I will...be voting Present.

PRESIDENT:

Discussion? If not, the question is, shall House Bill 911 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, 2 voting Present. House Bill 911 having received the required constitutional majority is declared passed. With leave of the Body, we'll move to the Order of Secretary's Desk Concurrence, page 6 on the Calendar, Secretary's desk concurrence. Senator Weaver, 1229. My understanding is that Senator Philip wished to nonconcur with that. Are we all on the same wavelength? Bottom of page 6, Senate Bill 1229, Senator Weaver.

SENATOR WEAVER:

HB 2350  
Sec. Desk

Thank you, Mr. President. I'd move that we nonconcur on Senate Bill...with House Amendments No. 1 and 2 on Senate Bill 1229.

PRESIDENT:

All right, Senator Weaver has moved that the Senate nonconcur in House Amendments 1 and 2 to Senate Bill 1229. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Ladies and gentlemen, let me tell you where we are. The House is going to adjourn very shortly and so I think it's in our best interest to get whatever Messages we can over to them. So, we'll deal with 2350 and then when we get on the Order of Conference Committee Reports, we will entertain those members and their reports who wish to go to a second report because that will entail moving some paper to the House and a response back and it's all...and we'll do the Conference Committee Reports tomorrow. That'll give everybody a chance tonight to read all these things, which I know everybody is looking forward to. All right, we're on the order now...with leave of the Body, on the Order of Secretary's Desk Nonconcurrency. House Bill 2350, Senator Marovitz.

SENATOR MARDVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate recede from Senate Amendments No. 1 and 2 to House Bill 2350. Amendment No. 1 is a technical amendment only. It only corrects some technical language. Amendment No. 2 is a bill dealing with attorneys' fees in the Department of Public Aid. The Department of Public Aid said that they don't need this right now, can put it on another bill or...or do it next year. They may not need it at all and there's no urgency for it at all, they have no problem with it and so I would ask that we recede from Amendments 1 and 2 to House Bill 2350.

PRESIDENT:

Discussion? Is there any discussion? This is final action. Question is, shall the Senate recede from Senate Amendments 1 and 2 to House Bill 2350. 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 48 Ayes, 3 Nays, 1 voting Present. The Senate recedes from Senate Amendments 1 and 2 to House Bill 2350 and the bill having received the required constitutional majority is declared passed. Yeah, we are. We're doing those...if I can...I'll try it once again. One more time. We're going to go through the Order of Conference Committee Reports and those members who wish to go to a second report, if they would indicate that, we will dump, as we say, dump the first report and get the paper flowing so that a second committee can be appointed and the Message will be properly received in the House. 421, I understand a second report is necessary. Is that correct? All right, on the Order of Conference Committee Reports, Mr. Secretary, is a Conference Committee Report on House Bill 421. Would you put that on the board, please. Senator Marovitz.

SENATOR MAROVITZ:

Well, I would move that the Senate do not adopt Conference Committee Report No. 1 and that a second Conference Committee be appointed.

PRESIDENT:

All right, the question is,....I'm sure all of you know is always put in the affirmative. So, the question is, shall the Senate adopt the Conference Committee Report on House Bill 421. The sponsor has asked that we vote Nay. 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 record. On that question, there are 13

*HB 998  
1st conf. Comm. Rept.  
HB 1859  
1st conf. Comm. Rept.*

Ayes and 41 Nays and 1 voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House and the sponsor requests a second Conference Committee. Now for the record, so you might mark your Calendar or make sure you have...513 will be a first report tomorrow, 529 will be a first report tomorrow,...I beg your...615 will be a first report tomorrow, 871. 998, I understand it's necessary to get to a second report on that, is that correct? Mr. Secretary, on the Order of Conference Committee Reports, the top of page 8, there's a Conference Committee Report on House Bill 998.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 998.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I do not concur with the first Conference Committee Report and I ask for the second Conference Committee.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 998. 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 record. On that question, the Ayes are 7, the Nays are 40. The Senate does not adopt the Conference Committee Report and the Secretary shall so inform the House and the sponsor has requested a second Conference Committee. 1421 is going to be a first time. 1616 is going to be a first time. 1859, Senator Luft...Conference Committee Report on House Bill 1859, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1859.

PRESIDENT:

HB 2190  
CC Report

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would ask that we reject Conference Committee Report No. 1 to House Bill 1859 and ask for a second Conference Committee to be appointed.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 1859. 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, the Ayes are 2, the Nays are 44. Senate...the Conference Committee Report on House Bill 1859 is not adopted and the Secretary shall so inform the House and the sponsor has requested a second Conference Committee. 2190, Senator D'Arco. Mr. Secretary, on the bottom of page 8, on the Order of Conference Committee Reports there's a Conference Committee on House Bill 2190.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2190.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. My intent is to dump the first Conference Committee Report and have a second appointed.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 2190. 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 record. On that question, there's 1 Aye, 49 Nays and none voting Present. The first Conference Committee Report is not adopted and the Secretary shall so inform the House and the sponsor has requested a second Conference Committee. 2323, Senator Woodyard. Mr...Mr. Secretary, on

the top of page 9...top of page 9, on the Order of Conference Committee Reports, there's a Conference Committee Report on House Bill 2323. 2-3-2-3.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2323.

PRESIDENT:

2-3-2-3. Yes, Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President. I would urge rejection of the first Conference Committee Report and ask that a second Conference Committee be appointed.

PRESIDENT:

All right,...the question is, shall the Senate adopt the Conference Committee Report on House Bill 2323. 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 record. On that question, there aren't any Ayes, 50 Nays, none voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House and the sponsor requests a second Conference Committee. 2748. On the Order of Conference Committee Reports is a Conference Committee Report on House Bill 2748, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2748.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen. I refuse to adopt the first Conference Committee Report and ask that a second one be appointed.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 2748. 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 record. On that question, there are no Ayes, 48 Nays, 1 voting Present. Senate does not adopt the Conference Committee Report and the Secretary shall so inform the House and the sponsor has requested the appointment of a second Committee of Conference. Senator Dunn, on 2797. Does that go to a second one? All right, on the Order of Conference Committee Reports, there's a Conference Committee Report, Mr. Secretary, on House Bill...2797.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2797.

PRESIDENT:

Senator Dunn.

SENATOR RALPH DUNN:

Thank you, Mr. President and members of the Senate. I'd like to reject Conference Committee Report No. 1 and ask that a second Conference Committee be appointed.

PRESIDENT:

All right, question is, shall the Senate adopt the Conference Committee Report on House Bill 2797. 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 record. On that question, there are no Ayes, 48 Nays, none voting Present. The Senate does not adopt the Conference Committee Report on House Bill 2797 and the Secretary shall so inform the House and the sponsor has requested the appointment of a second Conference Committee. Senator Donahue, on 2852, I understand. We were going to go to a second one on that? Senator Donahue. Senator Donahue.

SENATOR DONAHUE:

Mr. President, we would like to but this...this committee happens to be in the problem in the House that...one of those that they threw away and haven't found. I'd like to request

AB 943  
e.c.R. #1

a second one, but...

PRESIDENT:

Well, you know...we, frankly, don't care much what the House does. Let's just do what we do and we'll get the message over to...

SENATOR DONAHUE:

Then...then I would request a second Conference Committee Report, please.

PRESIDENT:

Now you're talking. All right. On the Order of Conference Committee Reports is House Bill...there's a report on House Bill 2852, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 2852.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

I would reject this Conference Committee and request a second one.

PRESIDENT:

All right...question is, shall the Senate adopt the Conference Committee Report on House Bill 2852. 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 record. On that question, there are 5 Ayes, 45 Nays and none voting Present. Senate does not adopt the Conference Committee Report on House Bill 2852 and the Secretary shall so inform the House and the sponsor has requested the appointment of a second Conference Committee. 943, I think Senator Jones had indicated he wished to go to a second Conference Committee on that one. We're on the middle of page 10, Mr. Secretary, Senate Bill 943, I beg your pardon. There's Senator Jones. There's a Conference Committee Report on Senate Bill 943, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 943.

PRESIDENT:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President...Mr. President and members of the Senate. I move that we do not adopt the Conference Committee Report and request that a second Conference Committee be appointed.

PRESIDENT:

All right, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 943. 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 record. On that question, there are no Ayes, 45 Nays and none voting Present. The Senate does not adopt the Conference Committee Report on Senate Bill 943 and the Secretary shall so inform the House and the sponsor has requested a second Conference Committee. 1155...Conference Committee Report on Senate Bill 1155, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate bill 1155.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate do not adopt Conference Committee Report No. 1 on Senate Bill 1155 and that a second Conference Committee be appointed.

PRESIDENT:

All right, Senator...the question is, shall the Senate adopt the Conference Committee Report on Senate bill 1155. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?

B/H16  
1st E.C.R.

Have all voted who wish? Take the record. On that question, there are 2 Ayes, 48 Nays and 1 voting Present. The Senate does not adopt the Conference Committee Report on Senate Bill 1155 and the bill having received the required constitutional majority is declared passed...I mean, declared not adopted and the Secretary shall so inform the House sponsor has requested a second Conference Committee be appointed. 1326 is a first time run. 1376 is a first report run. 1416. Conference Committee Report on Senate Bill 1416, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1416.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd ask that we refuse to adopt the first Conference Committee Report on Senate Bill 1416 and ask a...

PRESIDENT:

All right, question is,...question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1416. 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 record. On that question, there are 2 Ayes, 46 Nays, none voting Present. The Senate does not adopt the Conference Committee Report on Senate Bill 1416 and the...and the Secretary shall so inform the House and the sponsor has requested the appointment of a second Committee of Conference. 1506. That's going to be a first time run, Senator Alexander?

SENATOR ALEXANDER:

Mr. President, I want to...I want to accept the Conference Report as it is.

PRESIDENT:

Good, then we'll get to that tomorrow.

SENATOR ALEXANDER:

Thank you.

PRESIDENT:

What we're trying to do is move the paper over to the House for those who don't wish to accept the first report. Senator Holmberg. Mr. Secretary, Conference Committee Reports, middle of page 8, House Bill 1923.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 1923, I wish to reject the first Conference Committee Report.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 1923. 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 record. On that question, there are no Ayes, 44 Nays and none voting Present. The Senate does not adopt the Conference Committee Report on House Bill 1923. The Secretary shall so inform the House and the sponsor has requested a second Conference Committee be appointed. Ladies and gentlemen, I think essentially that concludes any roll calls. We're just going to...we've got to move all this paper. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Leave to ask to be...added as a hyphenated cosponsor of House Bill 1421. I spoke to the chief sponsor, who's not on the Floor, and he said...delighted to have me.

PRESIDENT:

Senator Savickas. All right, Senator Davidson seeks leave of the Body to be added as a hyphenated cosponsor on House Bill 1421. Without objection, leave is granted. Nine-thirty tomorrow morning. We have, as you can see by virtue of what we sent over there and what they're sending

back, we've got a lot of work to do tomorrow. Messages from the House.

ACTING SECRETARY: (MR. HARRY)

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 refused to recede from their Amendment No. 1 to Senate Bill 961.

And I am further directed to inform the Senate that the House of Representatives requests a first Committee of Conference.

PRESIDENT:

All right, this whole series of Messages calls for...us acceding to the request of the House. So, with leave of the Body, at the conclusion of reading all these in, we'll have Senator Demuzio accede to the request of the House.

ACTING SECRETARY: (MR. HARRY)

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to adopt the first Conference Committee Report on Senate Bill 916 and request a second Committee of Conference to consider the differences between the two Houses in regards to Amendments No. 2 and 3.

I have a like Message on Senate Bill 943 with Amendment No. 1.

A like Message on Senate Bill 1155 with Amendment No. 2.

A like Message on Senate Bill 1322 with Amendments 1 and 2.

A like Message on House Bill 1055 with Amendment No. 1.

Like Message on House Bill 2065 with Amendments No. 1 and 2.

And a like Message on House Bill 2748 with Amendment

No. 1.

PRESIDENT:

All right, with leave of the Body, Senator Demuzio will move to accede to the request of the House that Conference Committees be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It is so ordered.

ACTING SECRETARY: (MR. HARRY)

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 passage of a bill of the following title.

Senate Bill 714.

(Secretary reads title of bill)

With House Amendment No. 1 and 2.

PRESIDENT:

Secretary's Desk. Senator Keats, there's a motion with respect to a Senate Resolution...

SENATOR KEATS:

Thank you, Mr. President.

PRESIDENT:

Senator Keats, yeah.

SENATOR KEATS:

This has been cleared through the President and the Minority Leader, through the committee chairman and through minority spokesman. I would move that Senate Resolution 629 be removed from the Executive Committee and put on the Secretary's Desk so it will be on the Calendar for tomorrow as agreed.

PRESIDENT:

Right. All right, Senator Keats has moved to discharge the Committee on Executive from further consideration of Senate Resolution 629 and asked that it be placed on the Order of Secretary's Desk Resolutions so that it will show up

on tomorrow's Calendar. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Geo-Karis, for what purpose do you seek recognition?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on House Bill...998, I've been requested to add as additional sponsors Senator Robert Kustra, Senator...Doris Karpiel, Senator Beverly Fawell, Senator Walter Dudycz, and I approve.

PRESIDENT:

Well, if you just give the Secretary a list of those names. That's the flood control bill. You're going to have everybody on that one. So, let's just leave it...with leave of the Body, we'll just leave that one open for the moment.

SENATOR GEO-KARIS:

All right.

PRESIDENT:

Resolutions.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 669 offered by Senator Thomas Dunn.

Senate Resolution 670 offered by Senator DeAngelis.

Senate Resolution 671 offered by Senator Rock.

Senate Resolution 672 offered by Senator Woodyard.

Senate Resolution 673 offered by Senator Kustra.

Senate Resolution 674 offered by Senator Brookins.

Senate Resolution 675 offered by Senator Dudycz and all members.

Senate Resolution 676 offered by Senator Mahar.

Senate Resolution 677 offered by Senator D'Arco.

Senate Resolution 678 offered by Senator Brookins.

All congratulatory.

Senate Resolution 679, by Senator Harovitz and all Senators.

It's a death resolution.

PRESIDENT:

Consent Calendar.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 680 offered by Senator Luft.

PRESIDENT:

Consent Calendar.

ACTING SECRETARY: (MR. HARRY)

Senate Resolution 681 offered by Senators Topinka, Philip, Schuneman, Raica, Dudycz and Kustra.

PRESIDENT:

Executive. Introduction of bills.

ACTING SECRETARY: (MR. HARRY)

Senate Bill 1555 offered by Senator Severns and Welch.

(Secretary reads title of bill)

Senate Bill 1556 offered by Senator Jerome Joyce and Senator Severns.

(Secretary reads title of bill)

Senate Bill 1557 offered by Senator Holmberg.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Rules Committee. Messages from the Governor.

ACTING SECRETARY: (MR. HARRY)

A Message from the Governor.

Dear Secretary Hawker - Regarding my Senate Message of October 21, 1987, please be advised of the following change.

Mr. Joe Mikan, Jr. of Lockport was appointed as a member of the Will Metropolitan and Exposition and Auditorium Authority for a term expiring December 12, 1991.

The correction should read:

Mr. Joe Mikan, Jr. of Lockport as a member of the Will County Metropolitan and Exposition and Auditorium Authority for a term expiring December 12, 1991.

Please amend the Senate Message of October 21, 1987 accordingly.

Regarding my Senate Message of October 21, 1987, please be advised of the following change:

Mr. Will Hogan, Sr. of Barrington, sponsor, Senator Smith, was appointed to be a member of the Labor Management Commission for a term expiring July 1, 1988.

The correction should read: Mr. William Hogan, Sr. of Barrington, sponsor, Senator Barkhausen, to be a member of the Labor Management Cooperation Committee for a term expiring July 1, 1988.

Regarding my Senate Message of October 21, 1987, please be advised of the following change:

Miss Sharon Sharp of Chicago was appointed as director of the lottery for a term expiring January 1, 1989.

The correct expiration date should be January 16, 1989.

Regarding my Senate Message of October 21st, please be advised of the following change:

Miss Janet B. Wilson was appointed to be a member of the Rehabilitation Services Advisory Council for a term expiring January 11th, 1993.

The correction should read that Miss Janet B. Wilson of Granite City to be a member of the Rehabilitation Services Advisory Council for a term expiring January 11, 1993.

Regarding my Senate Message of November 4, 1987, please be advised of the following change:

Michael L. Narduly of Chicago, sponsor, Senator del Valle, was appointed to be a member of the Pollution Control Board for a term expiring on July 1, 1989.

The correction should read Michael L. Narduly of Chicago, sponsor, Senator Lechowicz, to be a member of the Pollution Control Board for a term expiring on July 1, 1989.

Please amend the Senate Message of...November  
4, 1987.

Sincerely, James R. Thompson, Governor.

PRESIDENT:

Further business to come before the Senate? Senator Hall  
is right on...right on time. We moved...move that we stand  
adjourned till nine-thirty tomorrow morning. So, it'll be  
Friday, November 6, nine-thirty in the morning. Ladies and  
gentlemen, nine-thirty. You and I'll be here at  
nine-fifteen, right. No...no...go see Senator Philip at  
nine, start his day off, don't start my day off. The Senate  
stands adjourned.

01/15/88  
12:04

STATE OF ILLINOIS  
85TH GENERAL ASSEMBLY  
SENATE

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