

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11
8th Legislative Day

April 11, 1989

PRESIDENT:

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

REVEREND HOWARD MILKMAN:

(Prayer given by the Reverend Howard Milkman)

PRESIDENT:

Ladies and gentlemen, Senator Philip and his leadership has requested that the Senate stand in Recess, and so the Senate will stand in Recess until the hour of one-fifteen. So I would suggest this is a good time for everybody to grab some lunch except for Senator Philip's leaders. One-fifteen.

PRESIDENT:

All right. The hour of one-fifteen having arrived, the Senate will again come to order. Committee reports, Madam Secretary.

SECRETARY:

Senators Demuzio and D'Arco, chairmen of the Committee on Assignment of Bills, reports the assignment of the following bills to committee.

Agriculture and Conservation - Senate Bills 1261, 1262, 1300, 1427, 1428 and 1437; Appropriations I - Senate Bills 1164, 1166, 1187, 1188, 1189, 1190, 1283, 1291 and 1295; Appropriations II - Senate Bills 1191, 1192, 1193 and 1194; Commerce and Economic Development - Senate Bills 1156, 1172, 1345, 1371 and 1404; Elections and Reapportionment - Senate Bills 1162, 1229, 1340, 1341, 1342, 1343 and 1383; Elementary and Secondary Education - Senate Bills 946, 1183, 1204, 1206, 1215, 1225, 1294, 1333, 1335, 1336, 1338, 1344, 1350, 1372, 1396, 1398, 1419, 1421, 1422, 1425, 1439 and... 1458; Energy and Environment - Senate Bills 1155, 1167, 1170, 1171, 1226, 1252, 1259, 1260, 1263, 1278, 1280, 1281,

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11
9th Legislative Day

April 11, 1989

1282, 1319, 1353, 1370, 1377, 1379, 1384, 1385, 1386, 1387, 1388, 1389 and 1390; Executive - Senate Bills 1197, 1207, 1227, 1249, 1250, 1258...1275, 1293, 1299, 1309, 1312, 1316, 1323, 1324, 1334, 1339, 1376, 1380, 1397, 1400, 1407, 1408, 1418, 1434, 1441, 1442, 1443, 1444, 1450, 1454, 1455, 1456, 1463, and 1465; Finance - Senate Bills 1202, 1203, 1256, 1381, 1436, 1452; Higher Education - Senate Bills 1165, 1184, 1257, 1346, 1347, 1348 and 1349; Insurance, Pensions and Licensed Activities - Senate Bills 1169, 1228, 1235, 1251, 1264, 1266, 1267, 1268, 1269, 1276, 1279, 1285, 1287, 1288, 1289, 1290, 1297, 1298, 1310, 1311, 1320, 1321, 1337, 1351, 1357... pardon me, 52, 1373, 1378, 1417, 1423, 1432, 1433, 1438, 1448, 1449 and 1457; Judiciary - Senate Bills 1112, 1175, 1176, 1178, 1179, 1180, 1181, 1182, 1207, 1210, 1211, 1212, 1213, 1214, 1217, 1218, 1219, 1220, 1221, 1223, 1224, 1253, 1255, 1265, 1270, 1272, 1273, 1274, 1277, 1314, 1315, 1329, 1331, 1391, 1392, 1406, 1409, 1410, 1411, 1412, 1429, 1430, 1440, 1445, 1447, 1460, 1464 and 1466; Labor - Senate Bills 1157, 1201, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367 and 1368; Local Government - Senate Bills 1158, 1159, 1160, 1161, 1163, 1208, 1209, 1216, 1222, 1230, 1231, 1235...pardon me, 32, 1233, 1234, 1236, 1237, 1238, 1239, 1240, 1241, 1243, 1244, 1245, 1246, 1247, 1248, 1271, 1292, 1375, 1393, 1394, 1395, 1403, 1453, 1459 and 1467; Public Health, Welfare and Corrections - Senate Bills 1173, 1177, 1185, 1186, 1196, 1198, 1199, 1200, 1301, 1303...pardon me, 02, 1303, 1304, 1306, 1307, 1313, 1326, 1328, 1332, 1354, 1413, 1414, 1415, 1416, 1431 and 1435; Revenue - Senate Bills 1168, 1195, 1242, 1284, 1286, 1305, 1308, 1318, 1322, 1399, 1401, 1402, 1405, 1420, 1424, 1446, 1461 and 1462; Transportation - Senate Bills 1174, 1254, 1296, 1317, 1325, 1327, 1330, 1369, 1374, 1382, 1426 and 1451. Filed by Senators Demuzio and D'Arco, cochairmen of the Committee on the Assignment of Bills.

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11
9th Legislative Day

April 11, 1989

PRESIDENT:

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have the pleasure, on the point of personal privilege, of introducing my fire chief from Winthrop Harbor, Joe Leach, and his friend. They're both my constituents. Patricia Pollat from...Lake County and she happens to have her birthday today and she's gracing us with her presence to enjoy her birthday. They're in the President's Gallery and we want to welcome them here.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome. Senator Topinka, for what reason do you arise?

SENATOR TOPINKA:

Yes, Mr. President,...if...I may, I would like to Table my Senate Bill 138; and if I might be added as a joint sponsor to Senate Bill 1316 and a cosponsor to Senate Bill 1096.

PRESIDENT:

Well, we...we do have these slips available for the second two of your requests, but certainly the motion to Table is always in order. Senator Topinka has moved to Table Senate Bill 138 as the sponsor of that legislation. All in favor...any discussion? If not, all in favor of the motion to Table indicate by saying Aye. All opposed. The Ayes have it. Senate Bill 138 is Tabled at the request of the sponsor. And Senator Davidson, for what purpose do you arise, sir?

SENATOR DAVIDSON:

...just to bring to the attention of the members of the Senate, tomorrow is the annual Legislators' Fitness Day which is sponsored by the Illinois Association of Physical Education Teachers, etc. and the Governor's Council on Health and Fitness. Those of you who participated last year, we expect to see your

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11
11th Legislative Day

April 11, 1989

smiling face here tomorrow morning. I do caution you that if you want to participate in the blood analysis which is free, you must come without eating breakfast. In order words, nothing after midnight tonight. Otherwise, if you don't want to participate in the blood analysis which is free, then do whatever you want, but we invite all of you to participate. It's in Room 114 on the first floor. We will be looking forward to seeing all of you there. Thank you.

PRESIDENT:

All right. If I can have your attention, WLS-TV, Channel 7, has asked permission to shoot some film, and with leave of the Body, permission is granted. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

That was not the purpose. Thank you, Mr. President. I would like to remind the Democratic members of the Revenue Committee as follows, Senators Netsch, O'Daniel, Alexander, del Valle, Dunn, Kelly and Luft, we will meet for just a relatively few minutes immediately after adjournment in the office behind the President's Desk.

PRESIDENT:

All right. Ladies and gentlemen, if I can have your attention, on page 2 on the Calendar, there are two bills on 3rd Reading. The sponsor has indicated that he wishes to proceed to that order of business. To afford those members who are on their way, we'll go now to the Order of Resolutions, Madam Secretary.

SECRETARY:

Senator Resolution 192 offered by Senator Hawkinson. It is congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11
4th Legislative Day

April 11, 1989

Senate Resolution 193 offered by Senator Collins. It is substantive.

PRESIDENT:

...Executive.

SECRETARY:

And I...and Senate Joint Resolution 42 offered by Senator Collins. Is also substantive.

PRESIDENT:

Executive. Madam Secretary, on the top of page two...ladies and gentlemen, if you turn to your Calendar on the top of page two. On the Order of Senate Bills 3rd Reading is Senate Bill 651. Read the bill, Madam Secretary, please, 651. You've got too many numbers in there.

SECRETARY:

(Machine cut off)...Bill 651.

(Secretary reads title of bill)

3rd reading of the Bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

...thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 651 is a bill that would move up the effective date of the Chicago school reform bill that we passed last December. That would move it up from July 1st, 1989 to May 1st, 1989. This is the bill introduced by myself and Senator Kustra, the minority spokesman, on the Senate Elementary and Secondary Education Committee. The purpose for this bill is to allow the interim board to have the maximum time to negotiate the contracts which expire on August 31, 1989 with the twenty some unions that are involved in the operations of the Chicago Board of Education, including the Chicago Teachers Union. That is the only date that would be effective...affected by this acceleration. Senator

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11
9th Legislative Day

April 11, 1989

Kustra joined with me last Thursday or Friday...I think it was Friday in moving this bill to 3rd reading. I would be glad to respond to any questions and solicit your Aye vote.

PRESIDENT:

All right. Discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, members of the Senate, I think, as was mentioned earlier, Senator Kustra is not here at the moment due to illness in his family. And a couple of our other education people I believe are off the Floor temporarily, but I did want to indicate that Senator Kustra is in support of this bill, and I don't think any of us have any objections to it and would like to see it go forward.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

If I understand correctly then what your asking is for the effective date of this law to be changed to May 1st, 1989; then if it's passed by both Houses, signed by the Governor, then it'll go in effect May 1st. Am I correct?

PRESIDENT:

Senator Berman. Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

I have no objection.

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11
th Legislative Day

April 11, 1989

PRESIDENT:

Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDENT:

Sponsor indicates he will yield, Senator Jones.

SENATOR JONES:

Yes, Senator Berman, per our conversation last Friday, and I checked this further for...as far as the relief to the school councils, they would not be impacted as such. However, the bill will affect the organization of teachers far as that...that professional advisory committee. If you move up the effective date, it would not only impact on the interim board but it would impact on the teachers getting together and selecting the advisory committee as well as their appointment to said committees. The reason why I bring this point out is that I have been going to meetings in my district and I have been informed...informing them of the various parts about this legislation but...you are not just moving the effective date up for the interim board. It's going to impact on other aspects of this legislation other than the interim board. Is that correct?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

The...the organization of the teachers is already under way, as you're aware,...even irregardless of the July 1st, date, so that they have been in the process of organizing. The only...the only date that this would impact in a formal procedure would be the...the interim board because they have the power of negotiating the new contracts. The...the...the teachers advisory committee and any of the other aspects if there's a specific date that is not touched by the acceleration of this...by this bill.

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11
8th Legislative Day

April 11, 1989

PRESIDENT:

Further discussion? Senator Jones, yes.

SENATOR JONES:

Well...well, Senator Berman, you see, one of the things that Senator Kustra pointed out in his remarks is that groups who are opposing this piece of legislation have been going around telling and organizing within the schools. Now, the law as it currently stand does not take effect until July...until July 1, and according to your remarks, you said they are already organizing. Well, how can they organize the teachers when the law does not take effect. I wish this legislation would have been one where it...it would specifically deal with the interim board, but it deals with other aspects of the legislation which would cause further confusion.

PRESIDENT:

Any further discussion? Is there further discussion? If not, Senator Berman may close.

SENATOR BERMAN:

Thank you, Mr. President. Senator Jones, let me comment this way. The bill as drafted and the bill even after this passage of this Senate Bill 651 requires that the advisory committees of the teachers be chosen in each school year. Technically you may be right that they could organize in May, but then they'll have to take another vote in September which would be a terrific waste of resources and a waste of time. So let me suggest... and I'll be glad to look at this point that you're making when the bill is in the House if we should be more specific regarding the September activation for the teachers; but as to the interim board, I think it's crucial that we move forward on this and I would solicit your Aye vote.

PRESIDENT:

Question is, shall Senate Bill 651 pass. Those in favor will

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11
11th Legislative Day

April 11, 1989

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 54 Ayes, no Nays, none voting Present. Senate Bill 651 having received the required constitutional majority is declared passed. On the Order of Senate Bills 3rd Reading, Madam Secretary, is Senate Bill 652. Read the bill, please.

SECRETARY:

Senate Bill 652.

(Secretary reads title of bill)

3rd reading of the Bill.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. This is the second of the two bills that we moved forward on Friday...it is again sponsored by myself and by Senator Kustra. The...this bill addresses the question of indemnification by the Chicago Board of Education, of members of the nominating committee...commission, the school councils, and the subdistrict councils for any action that they take in their official capacity. This is the same protection that's presently afforded to members of the board of education. Some people that don't want this reform to move forward have been telling parents that any action that they take as members of the local school council or the subdistrict councils or the nominating commission puts them in legal jeopardy. This bill would protect them the same way it protects members of the Chicago Board of Education and the way every member of every school board throughout the state is protected. I would be glad to respond to any question. I move for the affirmative vote on Senate Bill 652.

PRESIDENT:

Is there any discussion? There any discussion? If not, the

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11
0th Legislative Day

April 11, 1989

question is, shall Senate Bill 652 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 652 having received the required constitutional majority is declared passed. Resolutions, Madam Secretary.

SECRETARY:

Senate Resolution 193 <sic> (194) offered by Senator Dudycz. It is congratulatory.

PRESIDENT:

Consent Calendar, Madam Secretary. Senator Hall, for what purpose do you arise, sir?

SENATOR HALL:

A...a point of personal privelege, Mr. President.

PRESIDENT:

State your point, please.

SENATOR HALL:

Thank you, Mr. President and members of the Senate. It's my pleasure today to introduce to you the Operation Uplift Gifted Class. They're from Southern Illinois University and the East St. Louis Center. They're accompanied today by Doctor Edson ...(inaudible). It's my pleasure to present these to this Body, Mr. President.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Anything further to come before the Senate? Any further business, announcements? Senator Carroll. Senator Luft. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just a reminder that the meeting of Appropriations I Committee

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

11
8th Legislative Day

April 11, 1989

will begin at two o'clock in Room 212. Appropriations I at two o'clock in Room 212. Thank you.

PRESIDENT:

All right, Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I seek leave to be shown as hyphenated cosponsor on Senate Bill 373.

PRESIDENT:

I'm sure leave will be granted. We are attempting a new system. If you'll try one of our forms, we'll get the whole thing accomplished. Any further business to come before the Senate? Further announcements? If not, Senator Demuzio moves the Senate stand adjourned until...I'm sorry, Senator Davidson.

SENATOR DAVIDSON:

Yes, just one last reminder. Tomorrow morning is the fitness day at 7:30 a.m. If you're going to...participate in the blood analysis, please come without breakfast. Thank you.

PRESIDENT:

All right. Senator Demuzio moves the Senate stand adjourned until Wednesday...Wednesday, April 12, tomorrow, at the hour of noon, ladies and gentlemen. Noon tomorrow. Senate stands adjourned.

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX

APRIL 11, 1989

SB-0138 TABLED	PAGE	3
SB-0651 THIRD READING	PAGE	5
SB-0652 THIRD READING	PAGE	9
SR-0192 RESOLUTION OFFERED	PAGE	4
SR-0193 RESOLUTION OFFERED	PAGE	5
SR-0194 RESOLUTION OFFERED	PAGE	10
SJR-0042 RESOLUTION OFFERED	PAGE	5

SUBJECT MATTER

SENATE TO ORDER - PRESIDENT ROCK	PAGE	1
PRAYER - REVEREND HOWARD MILKMAN	PAGE	1
RECESS	PAGE	1
SENATE RECONVENES - PRESIDENT ROCK	PAGE	1
COMMITTEE REPORTS - ASSIGNMENT OF BILLS	PAGE	1
ADJOURNMENT	PAGE	11