

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

116th Legislative Day

November 14, 1990

PRESIDENT ROCK:

The hour of ten having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Prayer this morning by the Reverend William Oaks, Elliott Avenue Baptist Church, Springfield, Illinois. Reverend.

THE REVEREND WILLIAM OAKS:

(Prayer given by the Reverend William Oaks)

PRESIDENT ROCK:

Reading of the Journal, Madam Secretary. Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I move that reading and approval of the Journals of Thursday, November 8th; and Tuesday, November 13th, in the year 1990, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

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

SECRETARY HAWKER:

Senate Resolution 1436 offered by Senator Daley.

Senate Resolution 1437 offered by Senator J.E. Joyce.

Senate Resolution 1438 offered by Senators Karpriel and Donahue.

Senate Resolution 1439 offered by Senator Karpriel.

Senate Resolution 1440 offered by Senator Savickas, Senator Severns and President Rock.

Senate Resolution 1441 offered by Senator Savickas and others.

Senate Resolution 1442 offered by Senator Collins.

They're all congratulatory.

PRESIDENT ROCK:

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Consent Calendar. Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 2319 offered by Senators Rea, Smith, O'Daniel and Jacobs.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT ROCK:

Rules Committee. ...(machine cutoff)... Ladies and Gentlemen of the Senate, may I ask you kindly to take your seat? And I would ask the staff to kindly take a seat. We have a very special guest this morning. It is my pleasure to introduce to this Senate the Honorable Kiyoshi Kaneko, who is the Governor of the Niigata Prefecture. As I'm sure you are aware, Southern Illinois University has established a campus of their university in the Governor's -- within the Governor's jurisdiction, and he is here to visit with all of us. I hope you will all take the opportunity to say hello and welcome him to Illinois -- welcome him back to Illinois. Ladies and Gentlemen, without further ado, the Honorable Governor Kaneko. Governor.

GOVERNOR KIYOSHI KANEKO:

(Remarks by Governor Kiyoshi Kaneko)

PRESIDENT ROCK:

Ladies and Gentlemen, if I can have your attention, we have yet another special guest - an Illinoisian who is -- has and is making history. And the Chair was delighted to yield to Senator Savickas and Severns for the proper introductions.

SENATOR SAVICKAS:

Yes. Ladies and Gentlemen, if I can have your attention. Congressman Poshard, President Rock, Members of the Senate, Senator Severns and I would like to introduce Mrs. Teresa Kettelkamp, who attained a distinguished rank as the first woman Captain of the Illinois State Police. Teresa is also the first

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woman in Illinois State Police to be named to the assistant deputy director of a division. It is believed that Teresa is the highest ranking State Police female officer in the nation. With Teresa today are her mother, Margaret Morris; her children, Katie and Zachary. Director Jeremiah Margolis is present with us, and our Deputy Director David Williams. And, also, tomorrow is Terry's mother's birthday, November 15th. So at this time we would like to introduce to you, Terry Kettelkamp, our new Assistant Director -- Deputy Director of the State Police.

CAPTAIN TERESA KETTELKAMP:

(Remarks by Captain Teresa Kettelkamp)

DEPUTY DIRECTOR DAVID WILLIAMS:

(Remarks by Deputy Director David Williams)

SENATOR SAVICKAS:

Thank you very much for your patient indulgence, and we are very happy to join Terry in saying hello to all of you.

PRESIDENT ROCK:

Senator Kustra, for what purpose do you arise, sir?

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. For the purpose of an introduction. In the President's Gallery today, we have some very special guests. We have Steffanie Bishop of Springfield, Senator Davidson's district; and Ryan Dunn from Rockford, Senator Holmberg's district. These two young people have been chosen as winning kids of the Epilepsy Foundation of America during National Epilepsy Month. They've already been presented with Senate Resolutions, which we have passed, which has paid tribute to them for being an inspiration to others with epilepsy. And at this time I would like for Ryan and Steffanie to rise with their parents and the professionals from the Epilepsy Coalition of Illinois, who have joined us here today.

PRESIDENT ROCK:

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Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator O'Daniel, for what purpose do you arise, sir?

SENATOR O'DANIEL:

For a point of personal privilege, Mr. President.

PRESIDENT ROCK:

State your point, please.

SENATOR O'DANIEL:

Mr. President, Members of the Senate, it's my pleasure to introduce one of our former distinguished colleagues and now our great Congressman from Southern Illinois - and my Congressman - Congressman Glenn Poshard.

PRESIDENT ROCK:

Senator Madigan, for what purpose do you arise, sir?

SENATOR MADIGAN:

Point of personal privilege, Mr. President.

PRESIDENT ROCK:

State your point, please.

SENATOR MADIGAN:

Thank you, Mr. President. Also seated in the President's Gallery this morning is a group of eighth graders from Chester-East Lincoln Grade School in Lincoln - studying the constitution along with their teacher, Claudia McEvers, and her assistant, Susie Cosgrove - if you would be so kind as to recognize them.

PRESIDENT ROCK:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

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

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PRESIDENT ROCK:

State your point, please.

SENATOR VADALABENE:

I have seated on the left of me on the Senate Floor a member of the Edwardsville City Council, Gary Niebur, and a member of my staff, Ray Switzer. Would they please stand and be recognized.

PRESIDENT ROCK:

Alderman, will our guests please stand and be recognized. Welcome to Springfield. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Thank you, Mr. President. May I have some order, please?

PRESIDENT ROCK:

Ladies and Gentlemen, if you please. Senator Vadalabene.

SENATOR VADALABENE:

There'll be a Democratic Caucus immediately in Room 212. Room 212, immediately.

PRESIDENT ROCK:

All right. Senator Vadalabene has called for a Democratic Caucus immediately in Room 212. Senator Philip looks enthusiastic. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, in view of the enthusiasm of my Minority Leader, we are going to have a Republican Caucus immediately thereafter.

PRESIDENT ROCK:

It's a heck of a way to spoil a Wednesday, Pate, but that's the way it is. All right. Republican Caucus immediately in Senator Philip's Office. Democratic Caucus immediately in Room 212. I'd ask all the Members to try to get there immediately. And the Senate will reconvene at approximately the hour of noon. Senate stands in Recess.

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(RECESS)

(SENATE RECONVENES)

PRESIDENT ROCK:

Ladies and Gentlemen, we begin -- we will begin on Page 16 of the Calendar, for all within the sound of my voice. That is Senators Topinka, Lechowicz, Netsch, Schuneman, Topinka and Jerome Joyce. We will again, Ladies and Gentlemen, be starting at Page 16. We do not, in fact, have a great deal of business to transact, so I would hope that the Members would join us on the Floor so that we can handle the Calendar with some dispatch. We will reconvene then, obviously, at nine o'clock tomorrow morning to finish. Channels 7 and 9 have requested permission to shoot some film, as -- as well as WICS-TV. Without objection, leave is granted. For the benefit of the Membership, I have been advised that the motions with respect to Senate Bill 2050 - 2-0-5-0 - and -- the motion with respect to Senate Bill 1591 will be held until tomorrow. So they will not be dealt with today. We'll begin then on Page 16. The middle of Page 16, there's a motion. Senate Bill 784. Senator Topinka. Senate Bill 1496. Senator Lechowicz. Senate Bill 1501. Senator Netsch. 1568. Senator Schuneman. 1709. Senator -- Senator Schuneman, do you wish either of those today? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senate Bill 1568, Mr. President.

PRESIDENT ROCK:

Read the -- do you wish to pursue the motion?

SENATOR SCHUNEMAN:

Yes, please.

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PRESIDENT ROCK:

Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move that Senate Bill 1568 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Schuneman.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Members of the Senate, Senate Bill 1568 is intended to correct what I perceive to be an inequity in the benefits that are furnished to State employees. The State of Illinois and the General Assembly have made an effort, I think, to treat all State employees fairly. All State employees receive equal benefits as far as working conditions, overtime, comp. time, health insurance, but the benefits are not equal when it comes to life insurance benefits. The difference is that once an employee reaches age fifty-five his life insurance benefits begin to decline. They decline at the rate of five percent per year, so that an employee at age sixty-five actually only has half as much life insurance as an employee who is age thirty-five, for example. I think that's wrong. I think that we have State laws and federal laws that have basically forced private industry to discontinue those kinds of practices. Yet, we have here in the State maintained that inequity. I think the Governor has no disagreement with the idea of doing this, but rather objects to it on the basis of what -- what the cost might be. Apparently, this has about a two-million-dollar impact. There's one other issue that I want to bring to your attention, and that is that everyone of us has the right to buy, at our own expense, additional life insurance. But the amount we buy is depended upon how much the State provides for us. So, for example, if you are under age

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fifty-five, you can buy and pay the cost of life insurance up to four times the amount of your salary. But if you're over fifty-five, you can't buy that much and even pay for it yourself. So I think the system is wrong and needs to be changed, and I would ask for your support in overriding the Governor's veto.

PRESIDENT ROCK:

All right. The Gentleman has moved to override the Governor's veto with respect to Senate Bill 1568. Is there discussion? If not, the question is, shall Senate Bill 1568 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay. And 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 56 Ayes, no Nays, none voting Present. Senate Bill 1568, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. 1569. Senator Schuneman. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move that Senate Bill 1569 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Schuneman.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. The bill that you just passed dealt with active State employees. This bill deals with retirees. Mr. President, could we have a little order?

PRESIDENT ROCK:

I think that request is certainly in order. Can I ask those not entitled to the Floor to please vacate. Ask the staff to take their conferences off the Floor.



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SENATOR SCHUNEMAN:

Thank -- thank you, Mr. President.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

This bill deals only with life insurance benefits for retirees. At the present time, a retired State employee receives State-paid life insurance in the amount of two thousand dollars. Now that amount has apparently been in effect in Illinois since about 1972. In 1972 it probably represented a -- a more adequate amount of burial fund - if you will - for life insurance, than it does today. I think it's time that we make an increase in that amount. The bill calls for an increase from two thousand dollars to five thousand dollars. I would ask for your support in overriding the Governor's veto.

PRESIDENT ROCK:

The Gentleman has moved to override the veto of the Governor with respect to Senate Bill 1569. Is there discussion? Discussion? If not, the question is, shall Senate Bill 1569 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? All voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate Bill 1569, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. 1709. Senator Topinka. Madam Secretary, the motion, please.

SECRETARY HAWKER:

I move that Senate Bill 1709 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Topinka.

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PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 1709 was a bill that passed out of the Senate 57 to 0. It was generated by nurses for nurses in one more attempt to try and address the nursing -- the nursing shortage that we have in the State of Illinois. It was part of a three-part package that we proposed last year, and this is the only surviving part. It does not increase costs to the State of Illinois, because it does indeed use monies that nurses have chosen to tax themselves for, for their dedicated fund, and ask that a portion of that fund be set aside for nursing scholarships. We still don't quite understand why the Department is against that, because the money, by law, can't be used for any purposes other than nursing. So the Illinois Department of Professional Regulation is not in danger of losing anything by it. Nurses - in terms of the INA - individual nurses have all supported this. The Nursing Division of the Illinois Hospital Association has supported this. I really would appreciate a positive vote so that we can go forward.

PRESIDENT ROCK:

All right. The Lady has moved to override the Governor's Veto of Senate Bill 1709. Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Fawell.

SENATOR FAWELL:

Senator Topinka, according to the Governor's Message, the reason he has vetoed this bill is not because of the fact that there is surplus money or that -- or that money that the nurses have paid will necessarily go into this fund, but rather that --

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that ten percent of the -- of the fund or the surplus, whichever is lower, will go into the fund. Now, you know, I think there's a real problem with what we're talking about. Either, we are talking about monies that will have to be added to the fund if those funds are strictly used for -- for registering the nurses or it's not. But, you know, there's -- there's a great deal of confusion. Read the Governor's Message, and that's what he's saying.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

I read the Governor's Message, and I would not concur. And I've checked with my staff person again, and he assures me that no new monies are added to the existent Dedicated Nursing Fund. There is a surplus, and then that surplus becomes discretionary to the Department to spend as it sees fit. We are asking that the "it" be spent in a specific way, and that be for scholarships.

PRESIDENT ROCK:

Further discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. I rise in support of the Lady's motion. Originally the bill did call for what you said, Senator Fawell, but through negotiations and everything, we decided that the excess fund - either/or on the lower amount. Now there has been some confusion passed around as relate to this bill - individuals stating that it did not take care of the community college or diploma nurses. All of that is included in Senate Bill 1523. This is just a funding mechanism for that. So, therefore, the community colleges and diploma schools will be taken care of with this piece of legislation. But the excess fund, after appropriation -- any excess fund at the end of the year will go into the -- this fund for scholarships. So

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that misinformation that you have been getting - don't let that change your vote. You supported this legislation in good faith when it passed, and I encourage you to join Senator Topinka in overriding the Governor's Veto.

PRESIDENT ROCK:

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

Thank you. Senator Topinka, may I ask you a question, please?

PRESIDENT ROCK:

Indicates she will yield, Senator Alexander.

SENATOR ALEXANDER:

Thank you. I would like to know what position would an L.P.N., please, have with regards to this particular piece of legislation. My understanding, that I've just become knowledgeable of, is that they would not be able to be a part of the scholarship program as they only have a two-year tenure of education versus a four-year. But yet still, their monies go into this scholarship fund, and they are excluded from being a participatorial person.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

If I may see the microphone to my good colleague, Senator Jones, who added that language, and I think does cover that issue.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yes. The two-year community college nursing program is in here. The L.P.N.s did not request to be in here. And I've met with them, and I told them, "If you want language to specifically say L.P.N., we would do that next year." But they -- at the time the draft was -- put forth, they did not request it, because I

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handled the other portion and the representative for the community colleges. So therefore, no, they are not in here. But they will be in here, because they did not request to be a part of such.

PRESIDENT ROCK:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, I'm a bit confused, I guess, about what's happening here. We have your bill, and then apparently a House Bill 1523?

PRESIDENT ROCK:

Senator Topinka. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I have --

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

I have a question from one of my constituents who indicates that this bill does not include funds for all levels of nursing, and that it only includes the following, if they're going on to get a baccalaureate degree: L.P.N.s, associate degree nurses and diploma nurses. My concern, frankly, is if we're going to set up a scholarship fund, I think we ought to be helping people whether they're going to get an associate degree or a baccalaureate degree. And -- and can you tell me -- assure me that that's going to happen, I guess?

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

It's my understanding, at this point - and Senator Jones can

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kind of intervene, if he'd like - that L.P.N.s are not covered in this at this point, but nothing prevents us from adding them in. They did not join us in the negotiations. But I agree with you, this should be open-ended for all nurses.

PRESIDENT ROCK:

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank -- thank you. Just one last question. And I did hear that before when Senator Jones said L.P.N.s are not included, so I understand that. But I guess my last question is, would -- would money be available for someone wanting an associate degree if they did not plan to go on and get a baccalaureate degree?

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

This covers two-year and four-year programs.

PRESIDENT ROCK:

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

SENATOR TOPINKA:

I think it's a wise course that addresses a very serious problem in the State of Illinois, and I would ask for your support in the override.

PRESIDENT ROCK:

Question is, shall Senate Bill 1709 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. All voted who wish? Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 3 Nays, none voting Present. Senate Bill 1709, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. 1877.

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Senator Joyce. Madam Secretary, the motion, please.

SECRETARY HAWKER:

I move that Senate Bill 1877 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Jerome J. Joyce.

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. Senate Bill 1877 is the Freedom -- Emerging Democracies Freedom Bond Act that would offer financial assistance to Illinois-based companies wishing to do business in emerging democracies in Eastern Europe. I think we'll recall this bill. It passed with fifty-some votes. It would allow the State of Illinois to sell bonds and use the -- proceeds to finance Illinois business ventures in -- in Eastern Europe. And I'd be happy to answer any questions.

PRESIDENT ROCK:

Discussion? Senator Topinka.

SENATOR TOPINKA:

Besides thinking that Senator Joyce's bill is outstanding, might I have a point of personal privilege?

PRESIDENT ROCK:

That -- state your point.

SENATOR TOPINKA:

If I may direct everyone's attention to the gallery on our right, we therein have the members of Emmanuel Lutheran School from Hillside. They're here today with their teacher, Ken Becker. And if we could give them all a nice big round of applause and a welcome to Springfield.

PRESIDENT ROCK:

Will our guests please stand and be recognized. Welcome to Springfield. All right. The Gentleman has moved to override the

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Governor's Veto on Senate Bill 1877. Discussion? Senator Karpziel.

SENATOR KARPIEL:

Yeah. Thank you, Mr. President. I stand in opposition to Senate Bill 1877 in that the authority is going to provide a duplication of services. The Illinois Export Development Authority already does what this bill is proposed to do. The Export Development Act of 1983, and the proposed bill creating this Freedom Bond Act have basically the same purpose, the same general powers, this similar funding mechanism. I think that at this time when we have a new administration coming in and we may -- might perhaps have a -- a change of direction as far as DCCA is concerned, or we might have a shuffling of the -- of different departments, that we should just leave this alone, let DCCA handle it as they've been doing since 1983, and not duplicate services and cost, et cetera, at a time when we might be going to change everything anyway. We could wait until that time, and then this bill might be important. But at this point, it's just a duplication of services. I think we ought to vote no.

PRESIDENT ROCK:

Further discussion? Senator Keats.

SENATOR KEATS:

A -- a quick question of the sponsor for clarification.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Keats.

SENATOR KEATS:

The State's - and -- and I may have misunderstood - the State's full faith and credit is not behind these bonds, are they? These are investment grade bonds of which you are risking if you buy. It's not the taxpayer at risk?

PRESIDENT ROCK:

Senator Joyce.



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SENATOR J.J. JOYCE:

That is correct. The -- it is a moral obligation only.

PRESIDENT ROCK:

Senator Keats.

SENATOR KEATS:

Moral - not full faith and credit. In other words, we say we'll pay, but we probably won't. Right?

PRESIDENT ROCK:

Further discussion? Senator Joyce, to close.

SENATOR J.J. JOYCE:

Well, that may be your interpretation of morals. I guess -- I guess my question to Senator Karpel is, do you know how many loans that the agency that you bring up has made? It's my understanding also they can only be like a hundred-and-eighty-day loans at -- at current interest rates. These would be interest rates that may be as much as four to five percent below current interest rates. They could be long-term loans. I might point out to you that the -- on the trade-related missions in 1989, this agency went to such economically troubled regions as London, Paris, Calais, Leiah, Madrid and Casablanca, and I'm sure that they were places that we are really trying to get trade from. So I would ask the Senate to override this motion.

PRESIDENT ROCK:

Question is, shall Senate Bill 1877 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. 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 30 Ayes, 24 Nays, 1 voting Present, and the motion fails. Top of Page 17. 2058. Senator Maitland. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

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I move that Senate Bill 2058 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Maitland.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Senate Bill 2058 was our attempt to fill the gap of those merit scholarship winners for the years of FY'88 and '89. You may recall that we funded '87 and part of '88 and subsequent to 1989, we have also funded the program. We -- we make a big announcement. We -- we indicate who the merit scholarship winners are, and then we don't provide them with the scholarship to back up -- to back it up. And I believe this is something that -- that the General Assembly - both House and Senate - felt very strongly about; happen to think the Governor is wrong, and I would appreciate your support.

PRESIDENT ROCK:

Discussion? Senator Carroll.

SENATOR CARROLL:

Just -- thank you, Mr. President. Question of the sponsor, if he'll yield.

PRESIDENT ROCK:

Indicates he will yield, Senator Carroll.

SENATOR CARROLL:

Senator Maitland, while I understand the purpose of the merit recognition scholarships and current people, is it not possible that many of these people have already graduated college, and this would just be a gift to them of monies they had already paid the various universities?

PRESIDENT ROCK:

Senator Maitland.

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SENATOR MAITLAND:

Senator Carroll, I -- I believe that '88 would be in their last year and '89, of course, would be -- would have two years to go. Clearly just to -- to follow this through a bit, we did not, as you know, appropriate money for this. However, in the event that the Scholarship Commission has money left over toward the end of Session, we could fund this program or parts of this program with that revenue later on in the spring, and I therefore think we ought to pass this bill and use that money if we could do that.

PRESIDENT ROCK:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I rise in support of the motion. I -- I think a number of us were shocked when the details of this gap were brought to our attention. Students graduated high school were entitled to an award of a scholarship; they got a letter that they qualified, and then we never funded it. And I think we were all embarrassed by the fact that the Scholarship Commission never told us about the promise that we made that wasn't fulfilled. And I think that Senator Maitland is trying to have us live up to our promise. If we do fund it in the spring, I would urge that we make sure that if it's not needed, it doesn't go; but to those who we did promise and can still use it, I think we owe it to them, so I'm going to vote Aye.

PRESIDENT ROCK:

Further discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDENT ROCK:

Indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Maitland, do you have a cost projection on what the

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cost would be to do what you're trying to do?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Senator Welch, we think it's probably in the neighborhood of five million dollars for -- for both years. The thing that we don't know for sure is how many of those students that were identifiable back then would now be identifiable. So it's -- it would not be any more than that.

PRESIDENT ROCK:

Further discussion? Further discussion? Senator Maitland, you wish to close? If not, the question is, shall Senate Bill 2058 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay, and 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 2058, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. Middle of Page 17, on the Order of Motions in Writing to Restore Item Reductions, Senate Bill 1788. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move that the items on Page 2, lines 30, 33, 34, 35, and Page 3, line 1, of Senate Bill 1788, be restored, the item reduction of the Governor to the contrary notwithstanding.

Filed by Senator Donahue.

PRESIDENT ROCK:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a very important restoration for Western Illinois

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University. And as our universities go through the process of -- the budget process from the beginning to the end, Western was treated a little differently than some of the other universities within the BOG system. The rules that were applied to the other universities were not necessarily applied across the board. So last spring we introduced legislation that made up the difference, which was the five hundred and eighty-seven thousand dollars. I would request the support for this restoration simply on the basis of fairness. The Governor said that it was -- Western was treated differently, and it was unfair in that respect. It is true that they were treated differently, but it's because they were treated unfairly. And this is very important for the next year and their ability to provide the type of education they're capable of doing. Thank you very much.

PRESIDENT ROCK:

All right. The Lady has moved to restore the items on Page 2, lines 30, 33, 34, 35, and Page 3, line 1. Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in strong support of the Senator's motion to -- to override the -- the veto, and this has a general effect also - not only just on Western Illinois, but it has an effect on Blackhawk College and some of the programs that are being issued in that area, and stand strongly behind the Senator on this issue.

PRESIDENT ROCK:

Further discussion? Senator Severns.

SENATOR SEVERNS:

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

PRESIDENT ROCK:

Indicates she will yield, Senator Severns.

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SENATOR SEVERNS:

Senator Donahue, at least based on the information that -- that I'm reading in the analysis, the reason Western Illinois University was treated differently is because it, in fact, acted differently with the rules on tuition waivers. Very specifically, from the information I have before me, it suggests that Western Illinois University overspent on tuition waivers to the tune of four hundred and forty-five thousand dollars. And for that reason, this reduction that you're attempting to restore came about.

PRESIDENT ROCK:

Senator Donahue.

SENATOR DONAHUE:

That's what the override -- or the motion says -- or not the motion, but the Governor's Veto Message, and in all honesty, I think the board right now has rescinded that position for future uses, but in retrospect, I think that we can disagree on some of -- of what was said in regard to the Iowa and Missouri waivers.

PRESIDENT ROCK:

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I would like to point out that BOG at least has not advised the Appropriations Committee that their policy has changed, and in fact, the Board of Governors has said that only three percent of the total budget of the university could be used for tuition waivers. The fact is, Western Illinois University has exceeded that amount by a half a billion dollars -- half a million dollars -- and I think that to permit this to be overridden is a mistake. I would urge a No vote.

PRESIDENT ROCK:

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

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SENATOR DONAHUE:

Well, in all due respect, the October meeting of the Board of Governors on the campus of Western Illinois University -- that policy has changed and has changed dramatically, and I'm not going to get into a long discussion about it. I think it was a mistake, but this is a very, very important override for the university and for the future of the western part of the State of Illinois, and I hope you will support the motion.

PRESIDENT ROCK:

All right. Question is, shall the item on Page 2, lines 30, 33, 34, 35, and Page 3, line 1, of Senate Bill 1788 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay, and 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 36 Ayes, 16 Nays, none voting Present. The item on Page 2, lines 30, 33, 34, 35, and Page 3, line 1, of Senate Bill 1788, having received the required majority vote of Senators elected, is declared restored, the item reduction of the Governor to the contrary notwithstanding. Ladies and Gentlemen, we'll turn your attention again to the middle of Page 17. We're on the Order of Motions in Writing to Accept Specific Recommendations for Change. 1456. Senator Lechowicz. Madam Secretary, the motion, please.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1456 in manner and form as follows:

Amendment to Senate Bill 1456

in Acceptance of Governor's recommendations

Filed by Senator Lechowicz.

PRESIDENT ROCK:

Senator Lechowicz.

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SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1456, which passed this Body 55 to nothing, would increase the penalties for drug paraphernalia from a business offense of a thousand dollars per item to a Class 4 felony, one to three years and ten thousand dollars. It'd also increase penalties for a person over eighteen selling drug paraphernalia to a person under eighteen from a Class 4 felony to a Class 3 felony, or two to five years and ten thousand dollars. The Governor's Amendatory Veto reinstated a statutory fine of one thousand dollars per item, and I move that we concur with the Governor's Amendatory Veto.

PRESIDENT ROCK:

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1456, in the manner and form just stated by Senator Lechowicz. Those in favor will vote Aye. Opposed, vote Nay, and 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 54 Ayes, 1 Nay, none voting Present. The specific recommendations of the Governor as to Senate Bill 1456, having received the required constitutional majority vote of Senators elected, are declared accepted. 1523. Senator Jones. Read the motion, Madam Secretary, please.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1523 in manner and form as follows:

Amendment to Senate Bill 1523

in Acceptance of Governor's Recommendations

Filed by Senator Jones.

PRESIDENT ROCK:

Senator Jones.



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SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. Senate Bill 1523, prior to the Governor's Amendatory Veto, established a scholarship for students in associate degree, diploma, as well as baccalaureate degree in nursing programs -- is the vehicle for the 1709, which you just overridden. What the Governor did in his amendatory veto, he took out that portion that has grants to teachers, which was originally Senator Maitland's bill, and deleted requirements that driver's education courses be included in the instruction of the organ donor's program. That's all he did in his amendatory veto, and I accept and ask for a favorable vote.

PRESIDENT ROCK:

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1523, in the manner and form just stated by Senator Jones. Those in favor, vote Aye. Opposed, vote Nay. 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. The specific recommendations of the Governor as to Senate Bill 1523, having received the required majority vote of Senators elected, are declared accepted. 1591 is held at the request of the Chair. 2036. Senator Luft. 2168. Senator Jones. 2217. Senator D'Arco. 2168. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 2168 in manner and form as follows:

Amendment to Senate Bill 2168

in Acceptance of Governor's Recommendations

Filed by Senator Jones.

PRESIDENT ROCK:

Senator Jones.

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SENATOR JONES:

Yeah. Thank you, Mr. President, Members of the Senate. In the Governor's Amendatory Veto, what he did was he amended the bill so that only those beverages sold on the premises could be dealt with far as the -- the selling of liquor on the property. So therefore, he restricted it to consumption on property and no liquor could be taken off. I accept this amendatory veto - ask for a favorable vote.

PRESIDENT ROCK:

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 2168, in the manner and form just stated by Senator Jones. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 2168, having received the required constitutional majority, are declared accepted. 2222. Senator Welch. Madam Secretary, read the motion, please. Bottom of Page 17, Ladies and Gentlemen.

SECRETARY HAWKER:

I move that Senate Bill 2222 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Welch.

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 2222 was an omnibus bill put together by the Municipal League to take care of several different areas of law that they wanted to clarify. The Governor vetoed a portion of the bill - in particular, the portion that applies to Senator Tom Dunn's district. What the Governor did was

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he removed the language permitting New Lennox the right to locate and regulate the use of a private airport. Senator Dunn is going to speak to that. The other provision is one that concerns the Quad City's Regional Economic Development Authority Act. I understand that similar language has already been passed on to the Governor, and is already law. So the main provision, I think, is the New Lennox provision, which Senator Dunn will address, since it's in his district.

PRESIDENT ROCK:

All right. The Gentleman has moved to override the specific recommendations of the Governor as to Senate Bill 2222. Discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. There's a couple of questions that I have. Number one, according to our analysis, it says that what the Governor did was he said that there is an unconstitutional language that gave municipalities control over the private airports of Will County. Senator Dunn, I presume that's your part. Could you tell us why you disagree with the good Gov?

PRESIDENT ROCK:

Senator Dunn.

SENATOR DUNN:

To quote the Governor, Senator, what he said in his veto message was that "The item is arguably unconstitutional." I would suggest to you that if it's arguably unconstitutional, it's arguably constitutional. This does not affect anything within your district, or any other than Senator's district, other than Senator Jacobs and myself.

PRESIDENT ROCK:

Senator Fawell.

SENATOR FAWELL:

Well, you know, I think we should be very careful about

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passing any kind of a bill that could be construed as unconstitutional. I -- I understand it's an argument between lawyers, but I would hope that possibly we could clean the language up if -- if you desire to do something like this in the next Session, and -- and let's not try and pass something that obviously is going to end up in the courts. The second thing is, he says that there is a -- he has -- he wants to make a moral obligation bonds of the Quad City's Economic Development Authority optional, and allow the Authority to issue the bonds not backed by the full faith and credit of the State. And I -- I presume, Senator Welch, that is yours? Denny? Senator Jacobs? Again now we are getting into a gray area where the State is going to be obligated under the present language to back a project that is really a local project. We are heading for rather tight fiscal times, and I would strongly suggest that my colleagues on this side, at least, take a good look at this bill.

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDENT ROCK:

Indicates he will yield.

SENATOR WATSON:

We had a bill in - Senator Hall and Vadalabene and myself - for Southwestern Illinois Development Authority, to provide the same provisions that you're doing here for the Quad City's Economic Development Authority, and that is just what Senator Fawell was talking about - the moral obligation of the bonds. The Governor vetoed that provision out of the Southwestern Illinois Development Authority, and I think he did that also for an Authority that's in Senator Luft's district, and also in Senator Dunn's district. Now why should we allow this to be provided in

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the Quad City's Development Authority, when we're not doing it for anybody else?

PRESIDENT ROCK:

Senator Welch will yield to Senator Jacobs.

SENATOR JACOBS:

Thank you, Senator. I'm glad you asked that question. It's basically because it already is the law. The law already allows -- the current law, without this bill, allows for the moral obligation. What the Governor has done -- has taken what is existing law and changed it.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Well, am I correct then? This does not require the State to back these bonds, but the full faith and credit of the State?

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you. Senator, under the current law that is in existence now, with or without this legislation, all bonds sold by the Quad City Regional Economic Development Authority are subject to moral obligation. That's under the current law. This bill says, "Now we're going to give you the alternative of either selling them with or without moral obligation." There is no full faith and credit - it is a moral obligation, which -- which -- then the procedures are a portion of the bill.

PRESIDENT ROCK:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm not sure whether I can shed any light on this or not, but as I understand the issue, the Governor has said that the General Assembly is not required to appropriate

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funds to prevent defaults of these agencies that have issued so-called moral obligation bonds. However, his concern, and mine, too, is that if, in fact, one of those agencies does default and the General Assembly fails to pick up the tab, it might very well have a decided impact on the bonds of all of those other agencies, and the bond rating in the State of Illinois. It seems to me that -- that this is something that ought to be in the Quad City legislation, Senator Jacobs, and I -- I was in on the original discussions at the Quad Cities before this Authority was ever formed, and -- and it was always understood that the State would have no obligation to pay any of these bonds. It remains a mystery to me why you're objecting now to the suggestion that that language be put into the Act.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

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

PRESIDENT ROCK:

Indicates he will yield.

SENATOR GEO-KARIS:

What exactly do you mean by a moral obligation bonds?

PRESIDENT ROCK:

Senator Welch.

SENATOR WELCH:

A "moral obligation bond" would be one that would be backed up by the full faith and credit of the State of Illinois. Since we don't issue money, it basically means that whatever the legislature decides to do to fund that obligation is the moral obligation. Whatever pressure that you feel, Senator, to vote for an appropriation for that bond would be the moral obligation.

PRESIDENT ROCK:

Senator Geo-Karis.

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SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, a "moral obligation bond" means then that's a full faith and credit clause of the -- of the Illinois -- State of Illinois has to back it up. So if there is a big deficit, then the State of Illinois has to make up the difference, and that's what it means, and I don't know that -- if we're very wise to support this motion to override the Governor's changes.

PRESIDENT ROCK:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you. First of all, let me point out then, I would -- I'd respectfully disagree with the good Senator, Pat Welch, on what the "moral obligation means." The moral obligation -- I wish it would give the full faith and credit of the State, but it does not, and that's one of the issues that's at stake. The Governor has not precluded that. The Governor has still allowed for that to happen. The concern is -- is that they have now said it can be either/or. This is an attempt by the bonding houses to insure that -- that they have a little more control. But if you're worried about -- about the moral obligation of the State, then you'd better worry about the six billion dollars plus that you already have in the State that is under moral obligation. I -- all of your Illinois Finance Development Authority, et cetera, are all financed under the moral obligation.

PRESIDENT ROCK:

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. I apologize for rising a second time, but if you will look at the Governor's Veto, what he is asking, in the message, is that the Authority plainly state on the face of the bonds or notes that it is -- it is a moral obligation.

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It's not a -- it is not being backed up by the full faith and credit of the State, and I don't know why we shouldn't do that. I don't understand what your objection to putting something like that on the bonds would be, if indeed it is just a moral obligation.

PRESIDENT ROCK:

All right. Senator Welch, to close.

SENATOR WELCH:

I would just urge an Aye vote.

PRESIDENT ROCK:

Question is, shall Senate Bill 2222 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Opposed, vote Nay. 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, 26 Nays, none voting Present, and the motion fails. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 1443 offered by Senator Mahar.

Senate Resolution 1445 offered by Senator Demuzio and all Members.

Senate Resolution 1446 offered by President Rock and all Members.

And Senate Joint Resolution 220.

They're all congratulatory and death resolutions.

PRESIDENT ROCK:

The -- yeah. The Consent Calendar.

SECRETARY HAWKER:

Senate Resolution 1444 offered by Senator Weaver.

It is substantive.

PRESIDENT ROCK:

...(machine cutoff)...Senate Resolution 1444. Senator Weaver.



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SENATOR WEAVER:

Thank you, Mr. President. I would request that we suspend the appropriate rules for immediate consideration of Senate Resolution 1444.

PRESIDENT ROCK:

All right. The Gentleman has requested a suspension of the rules for the immediate consideration of Senate Resolution 1444. Without objection, leave is granted. Madam Secretary, Senate Resolution 1444.

SECRETARY HAWKER:

Senate Resolution 1444 offered by Senator Weaver.

PRESIDENT ROCK:

Senator Weaver.

SENATOR WEAVER:

Thank -- thank you, Mr. President. Senate Resolution 1444 merely urges United Airlines to choose Chanutte Air Force Base as the site for their new maintenance operations center. If there's any questions, I'll be happy to answer them.

PRESIDENT ROCK:

All right. Senator Weaver has moved the adoption of Senate Resolution 1444. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Madam Secretary? Resolutions. You got some more? No. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. I would move that -- to move Senate Resolution 1432 to be discharged from the Senate Executive Committee, and to have it immediately considered on the Senate Floor. I had discussed this with the Chairman and with the leadership on both sides of the aisle. The reason for the -- for the motion is there will not be another meeting this year of the Senate Executive Committee, and secondarily - probably the most

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importantly - the emergency nature. This resolution pertains to the Romania problem with these handicapped children. I don't know if anyone had seen 20/20, but I had viewed this, and it was a deplorable condition, which went on formerly under the Ceausescu administration and now under the current administration, and they haven't gotten out of this problem yet. But they got these kids they consider disabled, and as -- some things are mental and some things are bodily disabled, and some of them just have some minor little ailments, and believe it or not, they're sitting around in little tiny cells, and they're letting them die over there, and I think it's deplorable and I want to call on Congress and on the President and the United Nations to do look into this and do all they can economically and -- and -- to bring about a change. And that's why I would move once again for this discharge and immediate consideration.

PRESIDENT ROCK:

All right. Senator Kelly has moved to discharge the Committee on Executive from further consideration of Senate Resolution 1432. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. Senate Resolution 1432 is now discharged. Senator Kelly has now moved the adoption of Senate Resolution 1432. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Further resolutions, Madam Secretary? Senator Collins, for what purpose do you arise? I'm sorry? Can't hear you.

SENATOR COLLINS:

I, too, have a motion there for a discharge motion on a resolution. SJR 218.

PRESIDENT ROCK:

All right. Senate Joint Resolution 218. Senator Collins has moved to discharge the Committee on Executive. Are you asking for its immediate consideration -- or we might be better off placing

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it on the Secretary's Desk.

SENATOR COLLINS:

2nd Reading, because it has to be amended.

PRESIDENT ROCK:

Right. Okay. All right. Senator Collins has moved to discharge Senate Joint Resolution 218. We will bring it out of committee and put it on the Calendar for the purpose of an amendment. All in favor of the Motion to Discharge, indicate by saying Aye. All opposed. The Ayes have it. 218 is discharged and placed on the Order of Secretary's Desk, so that we can all get a shot at it. Further business to come before the Senate? Announcements? Any further business to come before the Senate? If not, Ladies and Gentlemen, the Senate will stand adjourned till nine o'clock tomorrow morning. Tomorrow is getaway day. It is Thursday. We will begin at nine, and hopefully conclude our business in plenty of time for all of us to be about our business. Senate stands adjourned till nine o'clock tomorrow morning.

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