

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

119th Legislative Day

November 29, 1990

PRESIDENT ROCK:

The hour of noon 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. Our prayer this afternoon by the Reverend Lewis M. Krause, Springfield Southern Baptist Church, Springfield, Illinois. Reverend.

THE REVEREND LEWIS M. KRAUSE:

(Prayer by the Reverend Lewis M. Krause)

PRESIDENT ROCK:

Thank you, Reverend. Reading of the Journal, Madam Secretary. Senator Smith. What's the matter with Senator Smith?

SENATOR SMITH:

Are you there? Thank you. I'm sorry. Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the reading and approval of the Journal of Wednesday, November 28th, in the year 1990, be postponed, pending arrival of the printed Journal.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Smith. 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 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. In the President's Gallery with us this afternoon is a member of the Senate Staff, Debbie Deckelmann, and her father, Dutch Deckelmann. I'd like them to be recognized.

PRESIDENT ROCK:

Will our guests please rise and be recognized. Welcome.

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Resolutions.

SECRETARY HAWKER:

Senate Resolution 1486 offered by Senator Rea.

Senate Resolution 1487 offered by Senator Karpiel.

Senate Resolution 1491 offered by Senators Vadalabene, Hudson, Geo-Karis and all Members.

Senate Resolution 1492 offered by Senator -- Senator Philip and all Members.

Senate Resolution 1493 offered by Senator Demuzio.

Senate Resolutions 1494 and 1495 offered by Senator Lechowicz.

Senate Resolution 1496 offered by Senator Savickas and all Members.

And Senate Joint Resolution 223 offered by Senator del Valle. They're all congratulatory and death resolutions.

PRESIDENT ROCK:

Consent Calendar.

SECRETARY HAWKER:

Senate Resolution 1488 offered by Senators Schaffer, Thomas Dunn and Donahue.

Senate Resolution 1489 offered by Senator J.E. Joyce.

Senate Resolution 1490 offered by Senators Marovitz and Berman.

And Senate Joint Resolution 224 offered by Senator Jerome J. Joyce.

They're all substantive.

PRESIDENT ROCK:

Consent Calendar. Oh -- I'm sorry -- the -- the latter two will be referred to the Committee on Executive. With leave of the Body, Ladies and Gentlemen, Senate Resolutions 1488, sponsored by Senator Schaffer; 1489, sponsored by Senator Joyce; and 1490, sponsored by Senators Marovitz and Berman, will be, with leave, referred to the Order of Secretary's Desk. Each of them has

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indicated they might wish to pursue these tomorrow. So rather than have multiple motions, we'll just, with leave, put them on the Secretary's Desk; everybody will have a chance to read them, and we'll take them up tomorrow. Leave granted? Leave is granted. So ordered. All right. Ladies and Gentlemen, we will begin on Page 17. A number of Members have filed motions in reaction to gubernatorial action. So we will begin on Page 17. The bottom of Page 17, on the Order of Motions in Writing to Override Total Vetoes, and we will move right through Pages 18, 19 and 20, in the order on which those appear on the Calendar. If I can have your attention for a moment, and ask you to turn to Page 18 on the Calendar, the Secretary informs me of a printer's error that we'd like to correct. In the middle of Page 18, on the Order of Motions in Writing to Override Item Vetoes, 3462, House Bill 3462 should be listed on that order. So on the Order of Motions in Writing to Override Item Vetoes, you will have a motion with respect to House Bill 3273, then you will have a motion with respect to House Bill 3462, and then House Bill 3544. If you look on Page 19, on the Order of Motions in Writing to Restore Item Reductions, House Bill 3462, sponsored by Senator DeAngelis, is erroneously placed. So all we're doing is moving 3462 over to the Order of Motions in Writing to Override Item Vetoes. Senator Friedland, you ready to start us off here? On the Order of Motions in Writing to Override Total Vetoes is a motion filed with respect to House Bill 2924. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move that House Bill 2924 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senators Friedland and Luft.

PRESIDENT ROCK:

Senator Friedland.

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SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Yesterday I distributed a letter from the Sheriffs' Association which outlines and rebuts the Governor's veto of this bill, which passed earlier in the Session, 57 to 2. you'll recall that this -- this is the stipend for the sheriffs throughout this State. And the reason for the bill is that several years ago the Assembly enacted legislation which gave the responsibility of misdemeanor prisoners to the sheriffs. As you can see from this bill, it's a little over two hundred thousand; the numbers are small, and it speaks directly to the counties where jails are operated. It's a real good bill; it's supported by the Sheriffs' Association; I'd urge your support, and it's a lot cheaper than the rose garden. Thank you.

PRESIDENT ROCK:

All right. Senator Friedland has moved that House Bill 2924 pass, the veto of the Governor to the contrary notwithstanding. Is there any discussion? Discussion? If not, the question is, shall House Bill 2924 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 47 Ayes, 5 Nays, none voting Present. House Bill 2924, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Newhouse, are you ready on 2966? Bottom of Page 17, Ladies and Gentlemen, on the Order of Motions in Writing to Override Total Vetoes, there is a motion filed with respect to House Bill 2966. Read the motion, Madam Secretary, please.

SECRETARY HAWKER:

I move that House Bill 2966 do pass, the veto of the Governor

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to the contrary notwithstanding.

Filed by Senator Newhouse.

PRESIDENT ROCK:

Senator Newhouse. If I can have your attention, Ladies and Gentlemen, WICS-TV would like to shoot some videotape, and AP has requested permission to take some photographs. Without objection, leave is granted. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, Senators, this bill requires elementary school districts to alter their curriculum to include subject matter that has to do with career education. The purpose of this bill, of course, is to prepare people for the real world. Now the Governor cites costs as a concern, but the State's Mandates Act fiscal note, prepared by SBA <sic>, states that the bill has no fiscal impact. Each school board then is to determine the amount of instruction time to be devoted to this area, and I would move an Aye vote on this bill.

PRESIDENT ROCK:

All right. The Gentleman has moved that House Bill 2966 pass, the veto of the Governor to the contrary notwithstanding. Discussion? Senator del Valle. Any discussion? If not, the question is, shall House Bill 2966 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? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 23 Nays, 1 voting Present, and the motion fails. 3406. Senator Jacobs. Madam Secretary. 3406. Read the motion, please.

SECRETARY HAWKER:

I move that House Bill 3406 do pass, the veto of the Governor to the contrary notwithstanding.

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Filed by Senator Jacobs.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In the Governor's veto message of House Bill 3406, he had some objections to Senate Amendment No. 3, which extended retired municipal employees' health care coverage at the retirees' expense. It was overridden in the House. This bill passed out of the Senate with 43 votes before, and I ask for those same 43 votes in an override.

PRESIDENT ROCK:

All right. The Gentleman has moved that Senate Bill -- House Bill 3406 pass, the veto of the Governor to the contrary notwithstanding. Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, it is -- it is somewhat difficult to rise to oppose this override motion. But I think, for those of us who went through a recent campaign season saying that we were vitally concerned about the oppressive burden of property taxes on our constituents, I think should be -- should be thinking of something and saying something on this -- on this measure. As I understand it - Senator Jacobs can correct me if I'm wrong - as I understand it, this provision of the legislation, which the Governor has vetoed, would require local governmental bodies with IMRF employees to extend to those retired employees the ability to obtain health insurance at the - and this is the key of it - the -- the average cost of -- of active employees. Now I can see that there might well be a justification for requiring the -- the provision of health insurance at the -- at the actuarial cost experienced by retired employees. But to -- to make it -- to require that it be made available and -- and this at a time when

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-- when there is mandatory collective bargaining in the State, for us to pass a law at the State level that places on local governments the burden of providing health insurance at the average cost of a younger and healthier group of employees, I think is -- is downright irresponsible of us -- and two-faced of us to be able to go back to our constituents and say that we are bound and determined to do something about property taxes, when we tie the hands of our local governmental employers in attempting to cope with probably what is the most rapidly increasing cost in society today - the cost of health care, and therefore of health insurance. So I think the Governor's action in this case, while politically painful, was appropriate, and I don't think we should be overriding it.

PRESIDENT ROCK:

Any further discussion on the motion to override? Senator Jacobs, you wish to close?

SENATOR JACOBS:

Thank you Mr. President. Just very quickly, I -- I think that just the opposite would be true, Senator Barkhausen. I feel that in my fourteen years as a mayor, we -- we -- we pretty well saw that whenever you give somebody an incentive to -- to leave, when they're fifty-nine, sixty-one, sixty-three, they'll take that. If not, they're going to stay on, and that person is going to be in that same category anyway. So I don't really see an increase in cost. In fact, I see a reduction in cost, because I think that that person then will leave, and the longevity pay, et cetera, that that person is receiving, the new employee coming in will not receive it, and I think that's it's really a cost saving, and ask for an Aye vote.

PRESIDENT ROCK:

Question is, shall House Bill 3406 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will

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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 46 Ayes, 10 Nays, none voting Present. House Bill 3406, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. Senator del Valle, for what purpose -- can we have your attention, Ladies and Gentlemen? Can we take the conferences off the Floor? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Point of personal privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR DEL VALLE:

Visiting us today is the Treasurer of the City of Chicago, Miriam Santos. I'd like to welcome her to the Illinois Senate.

PRESIDENT ROCK:

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

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate. That I may have had a conflict of interest in the last bill, but I've already disclosed my conflict, and I feel it's a fair bill -- on 3406.

PRESIDENT ROCK:

Top of Page 18, Ladies and Gentlemen. Senator Zito, are you ready? Top of Page 18. On the Order of Motions in Writing to Override Total Vetoes. There's a motion, Madam Secretary, with respect to House Bill 3655. Read the motion, please.

SECRETARY HAWKER:

I move that House Bill 3655 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Zito.

PRESIDENT ROCK:



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Senator Zito.

SENATOR ZITO:

Yes. Thank you, Mr. President and Members. I would move to override the Governor's veto of House Bill 3655. The House has already done such by voting 96 to 17. If you'll recall, the bill will mandate the Department of Public Aid to employ a uniform reimbursement cycle for nursing home providers statewide. Currently we do this in -- in Chicago, and we are attempting to put the Department -- to create reimbursement cycles on a calendar-month basis, for all the long-term care providers, Statewide. Downstate currently is not under this system. In the Governor's veto message, he indicated that he is sensitive to the inconvenience experienced by nursing home providers, because of the State's current payment cycles. But he indicates that there isn't funding available to do this. I've -- I've yet to see, or be convinced, that State dollars in fact are -- are going to have some shortcomings. As a matter of fact, the House restored approximately forty-three million dollars to the long-term line of Public Aid budget to bring the payment cycle down to thirty-one days. I think the funding problem has been solved. Everybody agrees that it is a good idea, and it should, in fact, receive the Senate's support. I would ask to override the Governor's veto.

PRESIDENT ROCK:

All right. The Gentleman has moved that House Bill 3655 pass, the veto of the Governor to the contrary notwithstanding. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President, Ladies and Gentlemen of the Senate, although, indeed this is a one-shot four-million-dollar hit, I think this is something that has been promised to the nursing home industry. It was, indeed, once part of a deal which has subsequently unraveled. This creates a tremendous bookkeeping

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problem as is for the nursing home industry. I'm sure that if this becomes law, and we get them all on-line, and everybody getting paid at the same time, that the practicality of their operation is ultimately going to be better, not only for the nursing home industry, but also for the people of Illinois, and I stand in support of it.

PRESIDENT ROCK:

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

SENATOR ZITO:

Roll call.

PRESIDENT ROCK:

Question is, shall House Bill 3655 pass, the veto of the Governor of the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay, and the voting's open. Have 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 35 Ayes, 14 Nays, none voting Present, and the motion fails. 3671. Senator Etheredge. Madam Secretary, on the Order of Motions in Writing to Override Total Vetoes, the motion filed with respect to House Bill 3671. Read the motion, please.

SECRETARY HAWKER:

I move that House Bill 3671 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Etheredge.

PRESIDENT ROCK:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Governor's veto of House Bill 3671 be overridden. Basically, what this bill does is to make it possible for

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community college students to participate in the student-to-student grant program which is operated through the Illinois State Student Assistance Commission. The way it works is the students, by referendum on their individual campuses, elect to participate or not to participate by levying a voluntary fee upon themselves which goes into a fund which is matched by State dollars and distributed to worthy students in the form of scholarships. As I said -- I view this as an equity issue, as far as the community college -- colleges are concerned, and I would ask for your favorable consideration.

PRESIDENT ROCK:

Senator Etheredge has moved that House Bill 3671 pass, the veto of the Governor to the contrary notwithstanding. Is there any discussion? Discussion? If not, the question is, shall House Bill 3671 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? Take the record. On that question, there are 55 Ayes, no Nays, 1 voting Present. House Bill 3671, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. 3699. Senator Demuzio. Madam Secretary, there's a motion filed with respect to House Bill 3699. Read the motion, please.

SECRETARY HAWKER:

I move that House Bill 3699 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the

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Senate. House Bill 3699 was the stipend for the county treasurers that moved the stipend from thirty-five hundred to five-thousand. If you remember correctly, back in 1986 the General Assembly did pass the legislation authorizing a thirty-five-hundred-dollar stipend. Unfortunately, by the time we got around to taking final action, the county treasurers had already -- had their -- took their oath of office, and as a consequence, they are the only body that - to my knowledge - that is not yet receiving any kind of additional compensation for the duties that they are performing at the local level. The stipend also requires that a training program for county treasurers be administered by the office of the State Comptroller, and indicates that the State Treasurer has sixty days after assuming office to apply to the Comptroller's Office for administering to the training program. And if the treasurer fails to complete the course as required in the Act, he or she can be subject to the penalties already provided for in -- for neglect of duty. It seems to me that in all fairness they ought to be treated as we treat all other county officials, and I therefore would move that the -- to override the Governor's veto with respect to this bill.

PRESIDENT ROCK:

All right. Senator Demuzio has moved that House Bill 3699 pass, the veto of the Governor to the contrary notwithstanding. Is there any discussion? If not, the question is, shall House Bill 3699 pass, the veto to the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed will 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 50 Ayes, 7 Nays, none voting Present. House Bill 3699, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. 3940. Senator Demuzio. Madam Secretary, on the

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Order of Motions in Writing to Override Total Vetoes, there's a motion filed with respect to House Bill 3940. Read the motion, please.

SECRETARY HAWKER:

I move that House Bill 3940 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, again, thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 3940 I think is a bill that everyone agrees, with respect to special education, that we ought to do. The Governor vetoed this specific -- this piece of legislation because it does set up a new formula by which we reimburse school districts for the services of special education teachers. Actually, what it would do, it would change the amount that's been authorized from eight thousand dollars per teacher to twenty-six percent of the Statewide average of special education teacher's salary. I think again that most individuals around here believe that this is something we ought to do. It does -- it has no fiscal impact this year. It does have a fiscal impact next year of six hundred and thirty-nine thousand five hundred dollars, and I would ask for your support to override the Governor's veto.

PRESIDENT ROCK:

If I can have your attention, please. WAND-TV also has requested permission to shoot some videotape. With objection, leave is granted. The Gentleman has moved that House Bill 3940 pass, the veto of the Governor to the contrary notwithstanding. Is there any discussion? Discussion? If not, the question is, shall House Bill 3940 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye.

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Opposed, vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 18 Nays, 6 voting Present, and the motion fails. 3952. On the Order of Motions in Writing, there's a motion with respect to House Bill 3952. Read the motion, Madam Secretary, please.

SECRETARY HAWKER:

I move that House Bill 3952 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. This is the Organic Labeling Act that we passed last Session with 38 votes. I'd be happy to answer any questions.

PRESIDENT ROCK:

Gentleman has moved that House Bill 3952 pass, the veto of the Governor to the contrary notwithstanding. Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this Motion to Override, for a number of reasons. But the one I'd like to talk about the most is that in the federal farm bill, an organic labeling section was included that will kick in in October of 1993. And we feel that it would be really inappropriate and kind of confusing if Illinois has their own organic labeling regulations and whatever, and then in 1993 these same organic people are going to have to follow the federal rules and regulations, and I think it's kind of confusing. I also feel that it's a disadvantage for Illinois organic producers, because all the other states - the forty-nine other

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states - can import products into Illinois that will not be under the same regulations as those who are producing it within the State of Illinois. I think this is a bad timing to do this in lieu of the federal legislation, and I would move for its opposition.

PRESIDENT ROCK:

All right. If I can ask our guests to please keep their conversation down. We certainly welcome you to the Floor, but we'd ask that you afford the Members the opportunity to be heard. Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President and Ladies and Gentlemen of the Senate, I too am opposed to this concept. I think somehow to put an organic label onto a product that's going to be consumed, suggests to the public that this is a superior product. What we are talking about here is really nothing more than the system of growing that particular agricultural product. It does not relate to quality. I think other grading standards we have very definitely do relate to quality. I think it's unfortunate that we are giving in to some type of a special interest here that does not relate to the quality of the product. As a beef producer, I'd hate to be producing the steak to be laying in the -- in the beef counter, alongside of an organic one, with a subtle suggestion that somehow this so-called organic product is a superior product. It just isn't true, and I don't think that we ought to be a part of this system.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Schaffer.

SENATOR SCHAFFER:

I echo the comments of -- of my colleagues, particularly Senator Donahue. I would also suggest to you that there appears still to be considerable controversy within the ranks of those

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people who might be called organic farmers, about this bill, and about the prospect of two conflicting sets of federal regulations. So I think even within the organic farming community there is not agreement on this bill, despite, I will concede, I think a major effort on behalf of the sponsors to reach agreement. It may be one of those groups you never get agreement from - I don't know. But the people in the industry in my area have very serious problems with the bill and are very much opposed to it, and I think we should take another look at this and see what the federals are going to be doing before we get ourselves in a position where we look ridiculous.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Ladies and Gentlemen, let me point out that the -- joining us is -- this afternoon on the Floor is Governor James Thompson. He is talking with Comptroller-elect Dawn Clark Netsch. Let's give him a warm welcome. Governor. Thank you for joining us today. The Gentleman from Jefferson, Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. I rise in support of this override. You know, we discussed this in committee and on the Floor last year. This bill doesn't create anyone any problem. There's just a certain segment of our society out here that are interested in obtaining organic foods and the like, and -- and they want it identified. It doesn't create anyone any problem. You know, this thing doesn't do anything to hurt anyone, and -- and I think it's -- it's -- if the people want this, identify this -- this organic labeling, I don't see any problem with it. I think we ought -- ought to override this veto.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from McLean, Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Mr. President and Members of the



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Senate. I rise once again in opposition to House Bill 3952. When this bill was introduced into the Senate Ag Committee last spring, I quite frankly thought that I was probably going to be supporting it. I didn't really think too much about it, but I thought, well, it's something that I can support, until -- until the people testifying in support of it started telling us why they were supporting it. And they frankly told us that it was about time that they could now identify pure and clean wholesome nourishing food. And as Senator Rigney has suggested, this does send a signal that everything else you eat - for whatever reason - is not good food. And I can't imagine anyone supporting legislation like this, and particularly an individual or individuals who grow products for human consumption. First of all, there -- we can't even identify what organic production really is. And this is going to be a scam, sending the wrong signal to the wrong people for something that is not what they think it is in the first place. It's a bad bill, and we ought to defeat it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce, to close.

SENATOR J.J. JOYCE:

Yes. Thank you, Mr. President. Well, to refute some of the things that have been said here -- to somehow suggest that this is -- is a better product than another product, a piece of meat or what have you, or an apple is grown organically or one that is not, is not -- not the case at all. All it says is that it's grown organically. That's all. It doesn't say it's better or worse, what have you. Some of the supporters of the bill, I might mention to you - the Illinois Farmers Union, the Illinois Stewardship Alliance, the Illinois Consumers for Safe Food, Illinois Farm Bureau, Illinois Impact, Illinois Chapter of The Organic Improvement Association, Illinois Department of Agriculture, Illinois - well, they've since changed their opinion

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- Illinois Environmental Council, Illinois Catholic Conference, Midwest Chapter, the Sierra Club. So, you know, there's all kinds of folks that are for this, and basically, all it says is that it's organic food and for food that's going to be -- or -- brought in from out of state, where the statement was made -- was made that that's going to be unfair. I think that's a great incentive for people to buy Illinois. If they don't know what it is, -- they ought to buy it if it's been produced here in Illinois. So I think it's a good consumer protection act, and I would ask for an override on this.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Maitland, for what purpose do you seek recognition?

SENATOR MAITLAND:

Well, I guess, Mr. President, a point of personal privilege. I would just like to -- and I know the Gentleman was closing, but the Farm Bureau is not supporting this legislation. Now it's my understanding that the reason they supported it last spring was because there was no federal program. There is one now. And it is my understanding they are neutral.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you. I have -- they have not told that to me. And -- and regarding the federal farm program, we always here try and get something in place at the local level. We do it all the time, before the feds impose something on us. And you folks over there are generally in favor of that. You -- generally you're the ones that are promoting it. So -- you know -- that -- it's just a facetious argument, I'd ask for a roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall the motion on House Bill 3952 pass, the veto of the Governor to the contrary notwithstanding. All in

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favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 31 Ayes, 22 Nays, 3 recorded as Present, and the motion fails. House Bill 4-0-4-9. Senator Marovitz. Out of the record, at the request of the sponsor. Also on Page 18, Motions in Writing to Override Item Vetoes appears House Bill 3273. Senator Rea. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move that the item on Page 29, lines 5 through 9 of House Bill 3273 do pass, the item veto of the Governor to the contrary notwithstanding.

Filed by Senator Rea.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. This line item is a hundred and thirty-two thousand for supplementary State aid payments to three school districts that -- actually they were overassessed for a number of years. Some local property was overassessed for several years and a one-time adjustment was made by leaving these school districts with less local revenue. And these are small school districts. This is a one-time shot, and we did grant the request here earlier and the House has overridden it 79 to 28, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President, Members of the Senate. It is not always easy to rise and oppose a Member on something important to a school district in his legislative district. I would just simply say that the school district has been benefiting from an

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overassessed valuation for a number of years, and -- and -- and that's -- was the -- the -- part of the Governor's opposition. And I would also suggest, Mr. President, that there is no substantive language, as I understand it, that has passed, which would allow this to be -- to be initiated anyway.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Rea, to close.

SENATOR REA:

Thank you, Mr. President. We're -- we're only talking about a hundred and thirty-two thousand here. A one-time shot. And the -- the problem is that these -- these local districts - the three small school districts - it would severely hinder their educational program, including the laying off of teachers, and this would give them a chance then to get back on course. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the item on Page 29, lines 5 through 9 of House Bill 3273 pass, the item veto of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 31 Ayes, 26 Nays, none recorded as Present, and the motion fails. Senator Marovitz, what purpose you seek recognition?

SENATOR MAROVITZ:

Point of personal privilege. Mr. President, on House Bill 4-1-2-6 I would like the record to reflect a change in principal sponsorship from Senator Jeremiah Joyce to Senator Marovitz. I'm assuming principal sponsorship with the permission of Senator Joyce.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any objection? Hearing none, be so recorded. There is an

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error on the Calendar. Appearing on Page 19 is House Bill 3462, which is the next item of business. So Madam Secretary, please read House Bill 3462. Senator DeAngelis.

SECRETARY HAWKER:

I move that the item on Page 39, line 35, and Page 40, lines 1 through 5, of House Bill 3462 do pass, the item veto of the Governor to the contrary notwithstanding.

Filed by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. I move that we restore the item in House Bill 3462. Let me correct a couple things. Some of you may have had some explanations. This is not a new program. This has been in effect for six years. And it's a program called Direction Services that was sponsored by Senator Berman and myself, whose main purpose was to be able to provide throughout the libraries of the State of Illinois access through a computer of all the facilities that have treatment and facilities for retarded and disabled people. Now this item has been batted around as to where it should be put. It's been in the State Board's budget. It's been in DCCA's budget. Essentially it ought to be in the Secretary of State's budget, because the program is administered through the Library Systems. So that's where it's being put into. It's not an add-on. It's not a new program. It's just a program that's finding a place where to land. I urge your support for this hundred-and-twenty-thousand-dollar item that's been there historically. This is their total budget.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the items on Page 39, lines 35, and Page 40, lines 1 through 5, of House Bill 3462 do pass, item veto of the Governor to the contrary

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notwithstanding. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 54 Ayes, no Nays, 1 recorded as Present, and the items on Page 39, line 35, and Page 40, lines 1 through 5, of House Bill 3462, having received the three-fifths vote, is declared passed, the item veto of the Governor to the contrary notwithstanding. House Bill 3341 -- I'm sorry. House Bill 3544. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move that the item on Page 9, lines 26 through 32 of House Bill 3544 do pass, the item veto of the Governor to the contrary notwithstanding.

Filed by Senator Luft.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think most of you know what this relates to is tax increment financing. To give you one brief history. Two years ago we passed reform legislation on tax increment financing. It was Senator Rock's bill. And one of the agreements that came forth in those discussions was that a special fund would be set up - a designated fund in the State treasury - for TIF funds to flow into, at which time those funds would be distributed back to the local municipalities. That has not been case. They've been shortchanged every year. So what I'm trying to do with House Bill 3544 is to restore, for fiscal year 1990, the 1.7 million dollars that was not distributed to the municipalities that had the money morally and, I think legally, coming to them. So I would move, Mr. President, that we restore that money - the 1.7 million dollars - to House Bill 3544, the item veto of the Governor to the

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contrary notwithstanding.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the items on Page 9, lines 26 through 32, of House Bill 3544 do pass, the item veto of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 53 Ayes, 1 Nay, 2 recorded as Present, and the items -- item on Page 9, lines 26 through 32, of House Bill 3544 is passed, the item of the Governor to the contrary notwithstanding. This item, having received the three-fifths vote, is declared passed. Also on Page 18 - Motions in Writing to Restore Item Reductions - appears House Bill 3273. Senator Demuzio. Read the bill, Madam Secretary. The Lady from DuPage, Senator Fawell, what purpose you seek recognition?

SENATOR FAWELL:

I was called off the Floor on the last vote, and I'd just like to have it recorded that if I were here on the Floor, I would have voted Yes on the last bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Madam Secretary, please read House Bill 3273.

SECRETARY HAWKER:

I move that the item on Page 28, line 1, of House Bill 3273 be restored, the item reduction of the Governor to the contrary notwithstanding.

Filed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a restoration of the public assistance line item of four hundred and seventy-seven thousand nine hundred dollars

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for the Illinois Adult and Continuing Educators. It is my understanding that both this motion and the motion to -- to come, are those that were simply reduced by the Governor in order to bring the higher education appropriation somewhere near the -- the total appropriation for elementary and secondary education. And that was perhaps the -- the justification, as I recall, in his veto message. It is -- I would like to point out that in this particular line item, the adult and continuing educators have documented over forty-seven million dollars in welfare savings through job placement from the adult education programs over the last six fiscal years. In the past two fiscal years they've documented -- documented an increase of eighteen million dollars. It seems to me that if we are really interested in doing something about the overall expenditure for public assistance in Illinois, that this money here of four hundred and seventy-seven thousand nine hundred would be well spent, and I would ask that we restore a -- the line item for the public assistance in this particular matter, Mr. -- Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the item on Page 19, lines 21 through 24, of House Bill 3273 be restored, the item reduction of the Governor to the contrary notwithstanding. The question is -- all in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On this question, there are 29 Ayes, 24 Nays, 1 recorded as Present, and the items on Page 19, lines 21 through 24, of House Bill 3273 fails. House Bill 3273. Senator Demuzio. Page 20, lines 1 through -- take it out of the record? House Bill 3341. Senator Carroll. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move that the items on Page 6, lines 13, 18, 19 and 21 of



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House Bill 3341 be restored, the item reductions of the Governor to the contrary notwithstanding.

Filed by Senator Carroll.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the motion to restore the funds that we, the General Assembly, through bipartisan, bi-chamber agreement, had put into the areas of medical assistance for physicians, hospital inpatient, hospital ambulatory care and those hospitals that are disproportionate share. It totals, in this motion, approximately fifty-six million dollars, of which twenty-eight million is General Revenue Funds; the other twenty-eight million would be funds we would derive from the federal government by spending these funds. When we presented to the Governor the approach of the General Assembly, we identified to him, as we did in 1987, the intent of the General Assembly to honor its commitment to those who provide service to people for the State, particularly people in need. We identified then, and I believe we should identify now, that it is unfair to say to those who we call upon to provide service, and particularly at a time when we're truly not paying them even a fair dollar for the services they are providing, that we are not going to make them wait four, five, six months to get paid. We said here in the Senate that a thirty-day payment cycle made sense. Not fifty-six days, as the Governor had suggested. We funded it at that level. The Governor saw fit to reduce those appropriations, but it's my understanding they have been paying at a sped-up level notwithstanding. That means, again, all of us will be here - save him - and in April no authority to pay a bill, even if cash were available. We are denying the authority to the new Comptroller to process the paper, as we did in 1987, so that

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we will demand service at hospitals. They cannot pull the plug. They cannot deny the admission. We will let them bill us a lower amount than the cost of that service, and then we will say to them starting in April, "But we are not going to pay you till probably late August, because they cannot process the paperwork, unless there is appropriation authority." The Department cannot and the Comptroller cannot. We learned that in 1987, absent the authority to spend, notwithstanding the cash issue, just the authority to spend. They couldn't start the paper until the Governor signed the new budget, usually July 14th. And it's almost a thirty-day period before that paper can get through the mill of the department, and the Comptroller to get a check out. So you're really talking about mid-August. How dare we say to these people, "We are demanding service." It is not an issue of saying, "Well we don't have any more day-care slots. Sorry we cannot take your child." We are saying, "We demand a service. We're just not going to pay you. Nor are we going to even pay you interest on what we, the State, owe you, because the Prompt Payment Act does not come into account unless there is appropriation authority." I think we must restore these lines, create the appropriation authority so that the bills can be paid as soon as cash is available. And if we, the State, are not paying our bills, we should be paying a form of interest. Because without authority, these hospitals cannot go and even borrow the funds, because they have nowhere to show that they can get the money from. And they have no interest payments from us to pay for it. We are facing a health-care crisis in Illinois. Ten hospitals closed last time we tried this. To those of you who live in areas where health care is important - and I believe that is fifty-nine of us - I do not believe any of us want to go home and say, "We contributed to someone's crisis in health care 'cause we would not authorize the payment of bills for services we are demanding." The only vote,

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in good conscience, is to vote to restore the funds.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. I would like just to state that I have an affiliation with Mercy Hospital, but I do not believe this presents a conflict.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from McLean, Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Mr. President and Members of the Senate. Senator Carroll, I would give anything in the world to be able to stand up and give the speech that you have just given, and support that notion and know that I had the money to back up the strong comments that you made. The fact of the matter is, we're not being honest with ourselves. We simply are not. You can call it whatever you want to call it, but the money is not there. I have an affiliation with a hospital too. I've been very active in a hospital, and they've been down here talking to me, and I can't tell them today that I'm going to give them additional money when I know full well come spring, that money isn't there. That's not being responsible. It simply is not. Ladies and Gentlemen of the Senate, the House acted last week, and they didn't act with any degree of common sense. They simply did not. They go back to their district and they said, "Look what I've done for you." The fact of the matter is, you've really done it to them, House Members, because you're promising something that you can't deliver. We can defeat this motion today, go home and say to our hospital people, "We don't like what we had to do, but it was the honest thing. The money is not there." And then, if for some reason next spring the money is there, and we can find it someplace, we can deal with this same issue then. Another

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important fact you have to keep in mind - the Prompt Payment Act. For that amount over and above the appropriation, we are not subject to the Prompt Payment Act. And if we appropriate, and the money is not there, and cannot pay the bill, when that interest figure plugs in after sixty days, that is, indeed, yet another cost. And that money comes right out of the hearts of the hospitals. The only responsible vote today - and the Governor was absolutely right - is to defeat this motion, go home and be honest with our constituents and say we'll do everything we can next spring to find the money to fund the system. I urge a No vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. In this Chamber as in the other Chamber, let us always remember that -- what is the word of a General Assembly worth? This motion does not ask us to approve some new program, or even expand one. It simply asks us to authorize payment to health-care providers for services we have purchased, at rates we have negotiated. Rates, I might add, that are very favorable to us. We're not even promising to pay the providers anything close to the actual cost of providing the service we have contracted to purchase. We go through this often. How can we bring this upon ourselves and upon the health-care system again? We pay so low and so slow, that we have wrecked the health-care system in the past, and then we make it up with promises to keep three hospitals -- keep those hospitals afloat who serve high proportionate of the poor. We promised to increase the rates. What was that promise worth, if today, we simply say, "It doesn't matter what rates we promise to pay, because we are not going to provide sufficient funding to pay the rate." And when we passed our Medicaid appropriations in June, our leaders, the Governor -- a solemn

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promise was made that the funds would be provided to ensure that we would pay for a full year of health-care services to the poor, not for just nine or ten months. But as soon as we left town, the appropriation came tumbling down, and we are today facing yet another crisis of credibility - our own credibility - while we, by our actions here today, send another signal to the citizens of Illinois that a commitment made in these Chambers is worthless - that our word means nothing. I hope not. I hope this motion will pass with support from the majority of our Members on both sides of the aisle. Our credibility should not be a partisan issue. I fully support this, and I hope that that board flashes up with enough green lights. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, President Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this Motion to Restore this amount of money. And I will be supportive of the subsequent two motions, and I'll be supportive, Ladies and Gentlemen, because I think it reflects, as Senator Hall pointed out, an agreement that was made by the leadership of this General Assembly. I can recall vividly when we sat in my office in a bipartisan fashion, not really understanding or knowing yet how to deal with the House and their proposals, and we determined -- we determined that we were, in fact, and did, in fact, cut four hundred million dollars out of the Governor's budget as proposed, and we considered all the options. And one of the option that we rejected, and rejected literally out of hand was a delayed-payment cycle to providers of medical care, particularly to the poor of this State. That was a conscious choice that we made, and I can remember walking over with Senator Philip, and presenting our plan to both leaders in the House, and saying, "This is it. This is what we are going to

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do." And the Governor, frankly, unraveled it. Now I have a copy of the Governor's letter where he says, "To override my action will undermine any flexibility Illinois has to weather these difficult economic times, and will lead to extreme financial difficulty this year." And you know why we made that decision at that time? We made that decision with respect to the Medicaid payment cycle, and with respect to the circuit breaker, and we made it in a bipartisan fashion, and we made it so we didn't have to force the poor and the old people to shoulder the burden of the Thompson administration overspending in other areas of government. Instead of crying about the General Assembly and its actions, I suggest very strongly that the current Governor and the Governor-elect ought to take a look at what's going on in their agencies, even as I speak. The Governor-elect should have asked the Governor to tell all his cabinet officers and agency and code departments to stop this binge of spending that they are currently engaged in. The information I have indicates that literally across-the-board, immense raises are being offered. And it's a question of spend, spend, spend, spend, spend, hurry up, because Governor-elect Edgar apparently made the mistake of suggesting that he may not keep all these cabinet officers. And so they are on a frenzy of spending, and literally do not care about the spring '91 expenditures, because they assume they are not going to be here. So the question is lock in all your friends at higher salaries. Buy all this crazy equipment. Do whatever you have to do, and don't worry about what's in the future. The Appropriations Committee yesterday spent a great deal of time and effort considering a thirteen-million-dollar supplemental GRF request, and some eighty million in other funds requests by this administration. And I don't have any quarrel with those, but for goodness sake, don't say that it's an orgy of spending by the Illinois General Assembly. The orgy of spending is going on

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currently in every agency, literally every agency under the control of the Governor. And to suggest somehow that we withhold payment from those who have provided medical care above and beyond the call of duty, seems to me to be irresponsible. The State of Illinois has the dubious distinction of being the only State in the country where seventeen hospitals have closed over the past five or six years. And I will be the first to admit that it wasn't only due to reimbursement. There were, in at least a couple of instances, some bad management - bad corporate management. But the fact is, when you are providing a service and your cost is a dollar and you are being reimbursed at sixty-seven cents, it doesn't take a rocket scientist to figure out that sooner or later that's not going to balance out. And so this Assembly attempted to address that. And we passed what was called the Disproportionate Share Bill, and we provided an extra sixty million dollars, and we brought the sixty-seven cents almost up a dime. It's almost at eighty cents now. So that for every dollar in care that the hospitals and doctors provide, we reimburse their cost by eighty cents. We're going to have to address that again. But now, to suggest on top of it, not only do you get only eighty cents on the dollar - you who provide medical care for the poor - now you're going to wait ninety days. They've got a cash-flow problem that cannot otherwise be confronted, and what's going to happen if we don't restore this money, is that by the time these checks come out of the Thompson and -- then Edgar administration, they're going to be delivered to a shuttered building, because some of those hospitals will have closed, because we didn't make the effort. I suggest to you very strongly that both candidates for Governor indicated that they were confident that they can cut three to four hundred million dollars out of the next year's budget request. And I'm sure going to help them do it. But we cannot force budget reconciliation on the backs of the poor, on

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the backs of medical care providers. I think it's incumbent upon the incumbent to help the Governor-elect, and to pick up the phone and say to all his code agencies and code departments, "Stop the spending, please. Cut back by ten percent or two percent, or don't hire any new people. Certainly don't give out mammoth raises. Stop this orgy of spending, because this State has a bigger responsibility." And we can only meet that responsibility by voting Aye on this motion. I strongly urge an Aye vote.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR JOYCE:

Well, where are the two Members that are away here, if we're so concerned about this thing?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll, to close.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, I think it's interesting that we're here talking about this. And it seems as if some people are trying to avoid - truly avoid - the real issues. This is a ludicrous debate. Did we order the services? The answer is yes. Why aren't we going to at least say, "I promise to pay." That's all that appropriation is is a promise to pay. How dare we say that we're going to buy a thirty-six-foot boat for Lake Michigan, and that we've got to pay in advance, because we don't want that vendor, even though he's five months late, to worry about getting paid. We paid him



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two-thirds of the money in advance for a thirty-six-foot boat. And now we got to worry about paying him the other third in advance, because we can't have the State's credit chastised by this one out-of-state boat maker. That's smart for the State. But people dying in hospitals we don't want to say we're going to pay for, even though we have to pay for them. The Governor didn't say modify the plan. The Governor didn't say to the General Assembly, "Let's change the program so we don't owe the money." The only question is when do we pay and when do we promise to pay. I have yet to hear anyone say here that the rates we are paying for this service are too high. How do you expect these business people, be they hospitals or whatever, to borrow the funds to stay in this most important business if they cannot go to the bank and say, "Here is the promise to pay, but it's going to be late"? This is the authority to pay. Everyone else, we say, "If we don't pay for that boat on time, we'll pay them interest." But no, not those who save lives. We're not going to tell them not to treat, we're just going to stiff 'em. And because of the end of the year, we're going to stiff 'em for probably six months. That's unconscionable. We have a duty here in the General Assembly to meet our obligations. If you want to change the plan, come up with a program. Say, "We're not going to pay for poor people in hospitals." But as long as we say we are, we have to say, "This is the authority to pay." And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the items on Page 6, lines 13, 18, 19 and 21, of House Bill 3341 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 28 Ayes, 18 Nays, none recorded as Present. And the motion fails.

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On Page 19 appears House Bill 3341. Senator Carroll. Hold it? The third item, 3341, you want to hold that? House Bill 3544. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move that the item on Page 9, line 25, of House Bill 3544 be restored, the item reduction of the Governor to the contrary notwithstanding.

Filed by Senator Luft.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

Thank - thank you, Mr. President. House Bill 3544 we visited earlier, when we restored the 1.7 million for FY'90 TIF money. This restores the FY'91 8.3 million-dollar TIF money. And I would move that the money be restored, the item reductions of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the items on Page 9, line 25, of House Bill 3544 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 52 Ayes, 4 Nays, none recorded as Present. And the item on Page 9, line 25, of House Bill 3544 is restored, the item reduction of the Governor to the contrary notwithstanding. This item, having received the majority vote of the Senators elected, is hereby declared restored. House Bill 3544. Senator Carroll. Last item on the page. Page 8, lines 35 -- do you want to read the bill or not? Read the motion, please.

SECRETARY HAWKER:

I move that the item on Page 8, line 35, of House Bill 3544 be restored, the item reduction of the Governor to the contrary

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notwithstanding.

Filed by Senator Carroll.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the twenty million dollars for the Seniors' Circuit Breaker Program. This is to provide those funds necessary to provide the circuit breaker grants to our senior citizens throughout Illinois. The Governor had reduced that funding so that they would not get these grants. And I believe that we have an obligation to the seniors, as we have had before, to provide the funds necessary. These are not cases where the people are not entitled. It's not a question, again, of a reduction in program - just a matter of paying our bills to our seniors when they come due. And I would urge a restoration of the twenty million dollars.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I -- I rise in opposition to the motion. And I do so with some reluctance, since this was part of the program which we did work hard on last Spring to -- to restore this money back to the figure which we felt was necessary. However, now I'm asking that you vote No on this Motion to Override for many of the same reasons that were raised earlier on in the debate on House Bill 3341. I am suggesting that we maintain for ourselves a -- at least a modicum of budget flexibility. I would like for us to defeat this motion, and then see if there is not some way, after the first of the year, to find the money that would enable us to make these payments on a timely basis. At this time, I would ask that you

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defeat this motion.

PRESIDENT ROCK:

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

SENATOR CARROLL:

Yes. I think it's a very simple issue. Again, seniors have paid for a long time. This is the Senior Citizens Circuit Breaker Grants. I think we have an obligation to pay them. There seems to be a choice in this line between giving them the relief they need to pay their taxes or their life-sustaining drugs - it's all part of the same program. This is the Seniors Circuit Breaker System. We have that obligation. The time is now. The time is to restore. I would ask for an Aye vote.

PRESIDENT ROCK:

All right. The question is, shall the item on Page 8, lines 35, of House Bill 3544 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 19 Nays, 3 voting Present. The item on Page 8, line 35, of House Bill 3544, having received the required majority vote of Senators elected, is declared restored, the item reduction of the Governor to the contrary notwithstanding. Senator Weaver, for what purpose do you seek recognition?

SENATOR WEAVER:

Verification, Mr. President.

PRESIDENT ROCK:

That request is certainly in order. All right. The Gentleman has requested a verification. The Gentleman has requested a verification. Will the Members please be in their seats. Madam Secretary, read the affirmative roll.

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SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Berman, Brookins, Carroll, Daley, D'Arco, del Valle, Demuzio, Dudycz, Thomas Dunn, Hall, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Raica, Rea, Severns, Smith, Topinka, Vadalabene, Welch, Zito and Mr. President.

PRESIDENT ROCK:

Senator Weaver, do you question the presence of any Member?

SENATOR WEAVER:

Senator Jones.

PRESIDENT ROCK:

Senator Jones? Senator Jones is on the Floor.

SENATOR WEAVER:

Senator Welch.

PRESIDENT ROCK:

Senator Welch is in the back of the Chamber, Senator Weaver.

SENATOR WEAVER:

Senator Daley.

PRESIDENT ROCK:

Senator Daley's in his seat.

SENATOR WEAVER:

Senator Hall.

PRESIDENT ROCK:

Senator Hall in the Chamber? Senator Hall's in the back of the Chamber, Senator Weaver. All right. The roll has been verified. On that question, there are 31 Ayes, 19 Nays, 3 voting Present. The item on Page 8, line 35, of House Bill 3544, having received the required majority vote of Senators elected, is declared restored, the item reduction of the Governor to the contrary notwithstanding. All right. Ladies and Gentlemen, we're on Page 19. Senator Dudycz, if you're ready, we will begin on the

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Order of Motions in Writing to Accept the Governor's Specific Recommendations. And we'll go right through that order and through the following Order to Override. On the Order of Motions in Writing, middle of Page 19 - Motions in Writing to Accept Specific Recommendations for Change. There's a motion with respect to House Bill 493. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 493 in manner and form as follows:

Amendment to House Bill 493

in Acceptance of Governor's Recommendations.

Filed by Senator Dudycz.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. I move to accept the specific recommendations of the Governor to House Bill 493, which amends the Juvenile Court Act and the Vehicle Code, providing that the Secretary of State shall cancel, not issue or renew, for one year, any driver's license or permit to any person who has been either convicted of or adjudicated under the Juvenile Court Act based upon the violation of the Cannabis Control Act or the Illinois Controlled Substances Act, while that person was in actual physical control of a motor vehicle. And it does exclude those placed on probation as a first offender. The Governor agrees with the provisions of the bill. He is only recommending several changes needed so that the law can be properly administered. The changes were requested by the Secretary of State's Office. And I move we accept the specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there discussion? If not, the question is, shall the

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Senate accept the specific recommendations of the Governor as to House Bill 493, in the manner and form as just stated by Senator Dudycz. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate -- the specific recommendations of the Governor as to House Bill 493, having received the required majority vote of Senators elected, are declared accepted. House Bill 1-0-5-5, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1055, in manner and form as follows:

Amendment to House Bill 1055

in Acceptance of Governor's Recommendations

Offered by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. This bill, as you remember, relates to the Adoption Act, and allows some limited access by adoptees, adoptive parents, and guardians, to medical information from biological parents. The Governor's objection was that part of the bill allows for access to the medical records of all biological relatives of adoptees, if it is shown that the initial biological relative sought is deceased. The Governor believes that this change breaches the confidentiality of adoptions, and should be deleted. He also has added the -- another Section which merely says "with a copy of death certificate, if possible." I move for the adoption of this change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the

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Senate accept the specific recommendations of the Governor as to House Bill 1-0-5-5 in the manner and form as just stated by Senator Macdonald. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 1-0-5-5, having received the required majority vote of Senators elected, are declared accepted. 1268. Madam Secretary, House Bill 1-2-6-8.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1268 in manner and form as follows:

Amendment to House Bill 1268

in Acceptance of Governor's Recommendations

Filed by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. I move that we accept the Governor's specific recommendations for change in House Bill 1268. It expands the bill to include sibling visitation when either the sibling seeking visitation or to be visited is in State custody. And while it's -- the Governor mentioned that it's not well-established by the courts that sibling visitation is, in fact, a constitutional right, the State and DCFS recognize the benefits of sibling visitation in appropriate circumstances, and DCFS should have the statutory ability to obtain the court order for such sibling visitation. DCFS agrees with this. This also involves the grandparent visitation and makes a small change in that, so that grandparents will have the opportunity to petition for visitation or visitation



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rights unless the marriage is intact, and there's been a joint decision by the parents together, as to visitation. I -- I agree with the Governor's specific recommendation, and ask for -- affirmative vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Senator Marovitz, the Governor's Message talks about a constitutional right to sibling visitation. Where is that in the Constitution?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

If -- if you read that, you'll see that the Governor's Message says that there is not a constitutional right to sibling visitation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Well, that's -- that's not exactly what he said. He quotes a lawsuit - Aristotle versus Johnson, in which a circuit judge -- a district judge stated that there was a constitutional right. So is there one, or isn't there one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I don't think that there's a clear constitutional right. I don't -- I don't think that it's clear that there is or is not,

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but the fact is sibling visitation, where there is a child in custody of the Department of Children and Family Services, has been beneficial to the child, and I agree with the -- with the Governor that we ought to allow sibling visitation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further -- Senator -- Senator Welch.

SENATOR WELCH:

Senator Marovitz, if the child is in foster care and he's placed apart from a brother or sister, and the foster parents are seeking to adopt that child, is it your -- is it this bill's intent that the foster child, who is trying to bond with the new foster parents - soon to be adopted parents - would still have the right to visit his brothers and sisters that he's being separated from, and would that right cease at the time of adoption, or would it continue after the foster child is adopted by those former foster parents?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I think that should be up to the court to determine what is in the best interest of the child and the family situation, after hearing all the evidence.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

But what does your bill say about that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Talks about -- in appropriate circumstances and pursuant to court orders.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Welch.

SENATOR WELCH:

I don't know. It seems to me that what the Governor did to this bill is -- is raise another issue that we shouldn't have -- shouldn't have raised. The incoming Governor wants to make adoption of children one of his major initiatives. Now there's a question raised because many of those children who are hard to adopt become foster children. If some brother or sister wants to visit with them while they're in foster care, we now, by this bill, apparently are giving these other brothers and sisters rights. And if the brothers and sisters are minors, who's going to be representing them? There's going to be some guardian ad litem - some lawyer saying that, "Well this five-year-old needs to visit his two-year-old brother who's in foster care with some other family," disrupting, it would seem to me, that family. So it -- by creating a right to visit siblings, and not putting exclusions for foster care, I -- I think this is something that should be cleared up before we get too far down the road with this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Can -- would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

This bill related, originally, did it not, to grandparents' rights of visitation? All right. Have you curtailed some of those rights with the way the amendatory veto is?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

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The amendatory veto does not, in any way, make any change in those rights.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

I believe what my colleague, Senator Geo-Karis, really wanted to ask was, did the original bill curtail any of the grandparents' rights, and I think the answer is yes. Am I correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

The original bill says that if Mom and Dad are living together and functioning as an intact family and make a decision about who should visit with their children, and for how long, that that decision governs, and not the decision of some court.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you very much, Mr. President. In regards to the sibling question, this is what's going on right now in the Department of Children and Family Services in our State, and child psychologists have determined that in certain circumstances, this is what's best for the kids and for the siblings. And I think in those circumstances where evidence has been introduced and where the courts can hear the evidence, that it may be in the best interest of siblings to be able to visit each other. And each circumstance is different. Regarding the grandparent situation, we went over that clearly. This bill passed overwhelmingly. The Governor made

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no change. In fact, a decision about who should see your kids, and how often, should be made by the parents themselves together, if they are an intact family. If they're not an intact family, then absolutely it -- it should be up to the court to allow grandparents visitation, but if there's an intact functioning family, I think it's wrong for a court to come in and tell Mom and Dad together who can see their kids and for how long they can see their kids. We voted for this overwhelmingly. It passed overwhelmingly. The Governor has made no change in that, and I agree with his recommendations on this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate accept the specific recommendations as to the Governor -- of the Governor as to House Bill 1-2-6-8, in the manner and form as just stated by Senator Marovitz. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. That question, the Ayes are 51, the Nays are 2, 3 voting Present. The specific recommendations of the Governor as to House Bill 1-2-6-8, having received the required majority vote of Senators elected, are declared accepted. House Bill 2700, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 2700 in manner and form as follows:

Amendment to House Bill 2700

in Acceptance of Governor's Recommendations.

Filed by Senator O'Daniel.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. I move to accept the specific recommendations of the Governor to House Bill

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2700. It -- it merely corrects a drafting area -- error -- that protects the frogs and the turtles.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2700 in the manner and form as just stated by Senator O'Daniel. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator Netsch, we okay now? Take the record. On that question, the Ayes are 57, the Nays are none, none -- none voting Present. The specific recommendations of the Governor as to House Bill 2700, having received the required majority vote of Senators elected, are declared accepted. 3058. Senator Collins. 33 -- 3136. Senator Watson. House Bill 3-1-3-6, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3136 in manner and form as follows:

Amendment to House Bill 3136

in Acceptance of Governor's Recommendations.

Filed by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. I do move to accept the Governor's changes on House Bill 3136. This particular piece of legislation amended the Southwestern Illinois Development Authority Act. The bill -- the Authority currently is authorized to issue debt for purposes of promoting economic development in Madison and St. Clair County. This particular bill extends that authority to units of local government projects. That also changes the time limits on which the Chairman's report to the

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Governor on the lack of dollars to pay the debt on service bonds. It eliminates certain bond requirements and extends the Authority's quick-take powers for an additional two years. And it also allows the Authority to sell bonds for bridge projects in the same manner as it would for any other project. The bill also grants the City of Morris some quick-take powers for the development of an airport. The Governor's objection occurred when the Authority has to issue more obligation bonds for units of local government. His concern was that that was mandatory. He changed that to optional. I move to accept.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3-1-3-6 in the manner and form as just stated by Senator Watson. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3-1-3-6, having received the required majority vote of Senators elected, are declared accepted. House Bill 3152, Madam Secretary, please.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3152 in manner and form as follows:

Amendment to House Bill 3152

in Acceptance of Governor's Recommendations.

Filed by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.

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I just ask for an Aye vote. What the Governor did was limit the Graphic Art -- Arts Sales Tax Exemption to enterprise zones to those that are -- are approved by Department of Commerce and Community Affairs. We look to come back next Spring and to make that change in separate legislation. So, I accept the amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3152 in the manner and form just stated by Senator Jacobs. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3152, having received the required majority vote of Senators elected, are declared accepted. House Bill 3164, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3164 in manner and form as follows:

Amendment to House Bill 3164

in Acceptance of Governor's Recommendations.

Filed by Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank -- thank you, Mr. President. The bill, as originally passed, included a number of very important provisions having to do with the Public Aid Code - the winter clothing allowance, the provision that requires the -- or the requirement to provide glasses and other necessary items to people who are in employment training programs and other matters. The two provisions - and it



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also included, by the way, the presumptive eligibility requirement for those who are pregnant to go on public assistance - the two provisions that the Governor chose to use his amendatory veto to make changes to, involved, first of all, the -- that Section which required the Department of Corrections to enter into contracts with the Department of Public Aid, to make it possible for people who are being released from prison to go immediately on to assistance where there is assistance that -- that is to be available to them. The Governor's suggestion was that the Department cannot guarantee that the recipient actually quote "receive the assistance," but can be required to assure that the assistance be available. And that was the change. That is perfectly acceptable. The second change had to do with a provision that many of us are very, very much interested in, and that is the spousal impoverishment provision. The Governor made no change at all in the continued and statutory requirement that we meet the maximum federal provisions for eligibility. That is one of the things that we very much wanted to accomplish. The Governor, however, did suggest that the provision requiring that every person in a nursing home who might have a spouse ultimately eligible be notified and given a great deal of information. The Governor's point was that that was costly, from approximately 1.9 million dollars, and there was no appropriation. We would like to have that done, but his suggestion is, under the circumstances, acceptable. And I would therefore move that we do indeed accept the Governor's proposed recommendations. They do not, in any way, substantively alter the basic thrust of all of the provisions of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield, Senator Welch.

SENATOR WELCH:

Senator Netsch, does this bill grant prison releasees any more public assistance than that to which they've always been entitled?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

The answer is no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Is the purpose of the expeditious processing of public assistance red tape to give these people a means of supporting themselves and their families outside of prison?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you. The answer is yes. And bear in mind that in most cases we are talking about women who will be released from prison and have children who are really the ones who would otherwise suffer. So that the idea is to be -- to let the children, as well as the person being released, to go on already entitled public assistance, and not become a charge again, or not be led back into what got them in prison in the first place again, which would be even more serious.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

So, basically, the bill would be anti-crime, because it keeps people from committing crimes when they have no money as soon as they get out of prison. Is that right?

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I think that is a very fair characterization of it, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

How many released persons does this affect monthly, and what percentage of those are women or heads of households?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

My understanding is that, on a monthly basis, about fifteen.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Did the Governor's Veto change any of the intent of the bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

No. When -- I made that statement very strongly at the close of my remarks, Senator Welch, because I think that's very important, both for the integrity of the legislative process, as well as for the substance of this bill. In no way is the basic thrust of any one of the provisions changed. They are what I would call administrative suggestions for making it work better. And that, I think, is an acceptable use of the the amendatory veto, unlike many others.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, then basically the Governor's --

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me. Can we have some order, please? I cannot hear the speakers. Senator Welch.

SENATOR WELCH:

So basically, the Governor supports the idea behind this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Yes. That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I think that's kind of curious, because in the last election, the Republicans over there sent out a mailing throughout my district that says, "Thanks to Senator Pat Welch, convicted felons no longer have to wait for welfare checks. Incredible but true. No lines. No hassle. Just the check. Regardless of their crimes, Senator Pat Welch helped make the legal right of every inmate to go directly to the front of the welfare line, which is why more and more Illinois convicts are saying 'Just give me my check.' Welfare for convicted felons with no waiting." Now, this is what the Republicans put out, even though the Governor apparently agrees with the bill. Now on the back it says, "Senator Pat Welch thinks convicted felons should be first in line to get their welfare checks. What do you think?" And it shows a copy of House Bill 3164. And this -- this is the piece of literature you guys sent out, by the way. You probably don't know about it, but this is what your party was sending throughout the district. And it's rather curious that all of this comes back now, and the Governor actually supports this idea. But the Republican -- the State Republican -- State Central Committee mailed this out. All of you folks are sending this out throughout

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my district, saying how we're helping convicts. I think this is a sorry way to campaign. And I'm glad to see the bill is back before us, so we can finally get some answers to all of the false information that's been sent out throughout northern Illinois. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Seeing no lights on the other side, Senator Netsch, you may close.

SENATOR NETSCH:

Thank you, Mr. President. Just a quick point. I -- I'm not going to re-fight the campaign, but obviously that was a very unfair characterization. And I hope you suggested to whoever distributed that, Senator Welch, that they look at the Code of Fair Campaign Practices that this Senate passed last year as well. Let me say that the Governor has some good company in supporting this bill from the other side of the aisle. I see on the roll call on the original bill, among others, Senator Kustra, Senator Keats, Senator Dudycz, who is standing right here, and others. I think it was recognized from the beginning that there was a lot of very strong substance in the bill. The Governor's changes really are just administrative type changes. They are perfectly appropriate. I hope that we accept them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate -- Senator Philip. Question is -- all right. Senator Davidson, the Lady had closed. Senator Davidson.

SENATOR DAVIDSON:

Just a little personal privilege, since one of the Gentlemen on that side of the aisle remarked about campaign literature. They sure as heck didn't call you a baby killer. When you really want to get down to some really tough dirty campaign, I'll show you some that'll make you even blanch. Thank you.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Well. Senator Netsch, do you wish to re-close? Question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3164 in the manner and form as just stated by Senator Netsch. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 27, 1 voting Present. The motion fails. Page 20. House Bill 3261, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3261 in manner and form as follows:

Amendment to House Bill 3261

in Acceptance of Governor's Recommendations.

Filed by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. I move to accept the Governor's recommendations for change. The bill in its original form allowed Fairmont to have a third OTB parlor. It allowed downstate park districts with new OTB parlors to receive horse racing tax allocation funds. It diverted 1.7 million dollars from the horse racing revenue from GRF to specific projects. And it limited the powers of the executive director. The Governor, in his amendatory veto, merely changed the date for that downstate park district from 1/1/90 to 2/1/90, at which time it has to be operable. It also deleted the diversion of the funds from the General Revenue Fund to the Rural Diversification Fund, Ag Premium Fund and also Brookfield Zoo and Urban Education. And those provisions as relate to the executive director of the Racing

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Board, which -- so it restricted the -- that person's operation. The Governor deleted all of that language. And, therefore, I don't know of no opposition. I move to accept the recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate adopt the specific recommendations of the Governor as to House Bill 3261 in the manner and form as just stated by Senator Jones. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3261, having received the required majority vote of Senators elected, are declared accepted. House Bill 3337. Senator Marovitz. Madam Secretary, please read the bill.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3337 in manner and form as follows:

Amendment to House Bill 3337

in Acceptance of Governor's Recommendations.

Filed by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. The Governor made a minor, and I think reasonable, change in the bill. He changed the effective date for the Drug-Free Workplace Act from 1/1/91 to 1/1/92. I think it's reasonable to give State agencies time to get into compliance. The House passed this 108 to nothing. And I would solicit your Aye vote to accept the Governor's specific change.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3337 in the manner and form as just stated by Senator Marovitz. Those in favor will vote Aye. Those opposed, Nay. Voting -- the voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3337, having received the required majority vote of Senators elected, are declared accepted. House Bill 3356, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3356 in manner and form as follows:

Amendment to House Bill 3356

in Acceptance of Governor's Recommendations.

Filed by Senator Friedland.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move to accept the specific recommendations of the Governor. He removed an objectionable provision to this bill, and now it's in good shape and would permit counties to regulate vicious dogs in accordance with the Animal Control Act. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3356 in the manner and form as just stated by Senator Friedland. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the



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Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3356, having received the required majority vote of Senators elected, are declared accepted. House Bill 3562, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3562 in manner and form as follows:

Amendment to House Bill 3562

in Acceptance of Governor's Recommendations.

Filed by Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President, Members of the Senate. I move to accept the Governor's specific recommendations for change. What the Governor did in this bill is made a distinction between high-risk and low-risk patients and -- and trauma patients. It leaves intact the portion that is related to hospitals to provide day-care services for sick children. And I know of no other opposition or any changes. And I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3562 in the manner and form as just stated by Senator Jones. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3562, having received the required majority vote of Senators elected, are declared accepted. House Bill 3613, Madam Secretary.

SECRETARY HAWKER:

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I move to accept the specific recommendations of the Governor as to House Bill 3613 in manner and form as follows:

Amendment to House Bill 3613

in Acceptance of Governor's Recommendations.

By Senator Severns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. The Governor's recommendations simply limits the exemptions to those persons who purchase homes in the Home Ownership Program. I know of no opposition, and would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations to the Governor as to House Bill 3613 in the manner and form as just stated by Senator Severns. If not, those in favor will indicate by saying Aye. Those opposed -- will vote Aye <sic>. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3613, having received the required majority vote of Senators elected, are declared accepted. House Bill 3755, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3755 in manner and form as follows:

Amendment to House Bill 3755

in Acceptance of Governor's Recommendations.

Filed by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

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SENATOR BERMAN:

Thank you, Mr. President. The Governor has clarified House Bill 3755. The bill originally provided for supplemental Medicaid payments to nursing homes and immediate care facilities which are rabbinically approved and provide for kosher facilities in food service. The clarification spells out the requirements for certification and puts a cap of no more than fifty cents per resident per day on the payment. I move that we accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3755 in the manner and form as just stated by Senator Berman. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 3755, having received the required majority vote of Senators elected, are declared accepted. House Bill 4159, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 4155 <sic> in manner and form as follows:

Amendment to House Bill 4159

in Acceptance of Governor's Recommendations.

Filed by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. The -- I move that we accept the amendatory veto. And basically what it does is it changes the effective date to coincide with some needs to change the paperwork

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in order to get this done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 4159 in the manner and form as just stated by Senator DeAngelis. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 4159, having received the required majority vote of Senators elected, are declared accepted. Motions in Writing to Override Specific Recommendations is House Bill 1-2-2-0. Senator Welch, you ready to go? House Bill 1-2-2-0, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 1-2-2-0 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Watson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, thank you, Mr. President. I've got the next motion, but this probably ought to read Watson-Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me.

SECRETARY HAWKER:

Pardon me. My motions were out of order.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson, I don't think we're quite that far along yet - the hyphenated co-sponsors. I think the Secretary read in the wrong motions. So, with leave of the Body, we will take that out of the record. And Madam Secretary, you may read the proper

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motion.

SECRETARY HAWKER:

I move that House Bill 1220 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Welch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill is a bill that takes money from a separate fund - from the General Revenue Fund - the Consolidation Grant Fund - and distributes it to three schools who proceeded to consolidate schools in their district. The three schools are in the areas of Ashland, Kinmundy and Streator. That's why Senator Watson rose. One of the schools is in his district. The total cost is seven hundred ninety-two dollars -- seven hundred ninety-two thousand dollars each year for a period of three years. The money is already in the -- in the fund. It's not a General Revenue appropriation. This is money that, I believe, is -- is an encouragement to schools to consolidate - something the State has pushed as a goal. And I would urge that we not accept the Governor's override <sic>.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you. I also rise in support of Senator Welch's motion. The situation that has occurred here, at least in my district, is the -- the legislation took effect July first, and my particular school district consolidated in May. So we just missed the deadline by about five weeks. And I think the other districts are something comparable. In my particular area, the Kinmundy-Alma district and the Farina-La Grove district consolidated into one particular district called South Central.

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So it's a piece of legislation that's important to those districts that are wishing to consolidate and those who have, and unfortunately missed that deadline.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion. Senator -- Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Davidson.

SENATOR DAVIDSON:

Senator Welch, I had some calls -- I had no problem what you and Senator Watson are trying to do, but I had some calls in relation to -- there's supposed to be something in here about changing mandate for increasing aid to certain school districts in the next fiscal year, et cetera. There's a school district which apparently is, in all essence, should be done away with and merge with other schools. But there's some actual funding or extra aid included in this bill for that district. Is that true or not?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

That's -- you're right, Senator Davidson. The provision that you're talking about affects any school districts whose 1988 equalized assessed valuation is fifty-five percent or less of the 1981 EAV. The funding affects eight different schools. I don't have a list of which eight schools it does, but -- I don't -- let's see if I have a figure on that. Yes, it does affect eight different schools, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

You said eight different schools. Does this do a special

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mandate for additional funding for these eight districts? That wasn't quite clear to me.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

The -- the proposal does increase aid for these eight schools because of a drop in their equalized assessed valuation, basically. It's -- it's a catch-up proposal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, I understand that, but every school district, or to my knowledge, at least every rural school district, has had a drop in their assessed valuation, due to the farmland assessment going down. Is this mandate something for other school districts, or just these eight? And would you be kind enough to -- to enumerate the eight districts for us, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, I don't have that list in front of me. If you'd like, I'll take it out of the record if it's -- if it's that important to you, 'cause I don't have the figures here. Well, maybe Senator Watson has it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Davidson.

SENATOR DAVIDSON:

Well, I'm not so much concerned about the eight districts, per se. What I'm concerned about is if by this we're mandating some special additional funding for districts that by -- at least some of the constituents in that district think they should be merged with another district so that children have an opportunity for

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quality education. And, secondly, if we're going to be doing something for eight districts who have a drop in assessed valuation, most of us who have rural areas in their district have had a drop in assessed valuation within their school districts. And I want to know if this is going to benefit them, or just these eight districts only.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

It was just the eight, Senator Davidson. It's based on the particular calculations between 1981 and 1988 -- the drop in assessed valuation to fifty-five percent of what it was in 1981. So it's a specific limitation to those areas because of an excessive equalized assessed valuation change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this motion for the particular part about the three school districts that have consolidated. One of my area schools is involved in this, and they had decided and chosen to consolidate by the date that had already been established, but they got caught in the fact that it didn't become effective until after the date. And I think that it's only fair that they should receive these dollars. And I would add one more point - that these dollars are already in the fund. They are already available. We're not taking money away from anyone else. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Well, I think we ought to know what these eight districts are.



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Now I mean that -- you know you vote for things around here -- and can't -- can't you find out before we vote on that, Senator Welch?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR HALL:

I need to know...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch. All right. Senator -- Senator Hall.

SENATOR HALL:

You're saying that there are eight school districts. Where are these school districts? I want to know that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, let me read the list off to you, Senator. Tower Hill Consolidated School, Tower Hill Community High School, Astoria, Prichard Clark School -- Consolidated School, Lewistown Elementary School, Lewistown Community High School, Plymouth Consolidated School District, Community Consolidated School District 211, Sunbury Community Consolidated School District, Odell Community Consolidated School District, Kell - K-e-l-l - Community Consolidated School District, Balyki Community Unit School District. Those are the schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I just wanted to be sure. We should know what we're voting on, and that's the reason why I would like to know. None of them are downstate, right? All right. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Welch may close.

SENATOR WELCH:

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I would just say that the money is in a separate account of the State. It's already appropriated. It's sitting there waiting for consolidation purposes. I would urge an Aye vote to override the Governor's specific veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 1-2-2-0 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Luft. Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 18, 1 voting Present. The -- House Bill 1-2-2-0, having received the required three-fifths vote, is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. 3146. Senator Rea. House Bill 3-1-4-6, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 3146 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Rea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. This is simply authorizing legislation that provides for three school districts that were overassessed -- the possibility of providing supplementary State aid payment to those districts. And I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. A question of the sponsor. And, Senator Rea, I -- I'm sorry I was not on my toes when you first started speaking. It's -- it's -- it's my understanding this is

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the substantive language which would authorize the payment language that was defeated earlier. Do you plan to -- do you plan to seek movement of that once again?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

This is the authorization that you were speaking of. And this is what we -- would be necessary. And I am planning on seeking some source of -- of funding for it, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland. Further discussion? If not, Senator Rea may close.

SENATOR REA:

I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3146 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 22, none voting Present. The bill, having failed to receive the required three-fifths vote, is declared -- the motion is declared lost. House Bill 3183, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 3183 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senators Topinka and Severns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka.

SENATOR TOPINKA:

Mr. -- Mr. President, sir -- Mr. President, sir -- Mr.

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President, sir -- as a matter of protocol, since this is Senator Welch's bill, and he has also filed a motion, he gets kind of first crack at it. So if he wishes to pursue this motion - it's the same motion that I have - I am more than willing to yield. If he does not, then I wish to be recognized to do so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Mr. President, I've spoken with several people from the new administration who have indicated to me that they have an interest in a newspaper recycling bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No. Just -- Senator Welch.

SENATOR WELCH:

So I would not be calling my amendment -- my motion. I would ask to withdraw it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we'll do it when we get there. Senator Topinka, I think the Gentleman has asked his question. The motion has been read into the record. Senator Topinka is recognized on the motion.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate, this is the newspaper recycling bill. Basically what we're asking for is -- is an override of the Governor's veto. I think that all of us have heard, at some point or another here, from most of our newspapers. They have been very, very cooperative in negotiating the original bill in its original form. It passed out of this Chamber with no opposition. The Governor saw fit to up the ante in terms of the goals for recycling. Now although these are noble goals, and the newspaper industry indeed wishes to achieve those goals, at present there is not enough availability of newsprint to be able to achieve those goals. And it becomes very impractical

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and does not allow for them to do so. As a result, and especially our smaller newspapers are very adversely affected. It just does not fly. So I would ask that we override the Governor's veto on this and bring the bill back to its original form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Before we -- before we do that, the Chair would like to recognize the presence on the Floor of the Attorney General of the State of Illinois, the Honorable Neil Hartigan. Neil Hartigan. All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I support Senator Topinka's motion because this -- I think we're just creating a travesty in the smaller newspapers. We don't want to put them out of business, 'cause this recycling situation isn't up to par yet. And I certainly support her motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Yes, Mr. President. I -- I would just like to say that the statement by Senator Topinka is that there's not enough newspapers available to recycle. Anyone who has -- had anything to do with trying to recycle their own newspapers knows that there's a glut of newspapers on the market. You can't get people to take the damn things away. To say that there's not enough newspapers to recycle, to -- to come up with new recycled newsprint I think is a red herring. It's not true. The problem is that most of the recycling that's being done for the major newspapers, such as the Chicago Tribune, is up in Quebec, Canada. Well, that's fine if you live in Quebec. You can have your newspapers recycled and turned into newsprint down here in Illinois. In the meantime, approximately two percent of the -- of the landfill capacity is being utilized with Sunday newspapers. The bill itself started

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out to be a good idea. The Governor improved it by setting goals that are very attainable, very reachable. The Illinois Press Association decided they would fight those. Why? Because they want a bill on the books that's, I believe, already being met. The quotas in this bill of twenty-two percent in 1991, twenty-five in '92, twenty-eight in '93 - certainly they're attainable, because they're already attained. So the bill itself, I think, could have been improved. The Governor did improvement. And we probably will have to come back next year to fix it up. But in the meantime, I didn't want to be the chief sponsor of the motion to call it up, because I think that we can do better than this. And I hope we will next year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. When this bill came before committee, and also when it passed out of this House, it passed with an overwhelming majority. We worked at -- at -- at lengths with the newspaper industry. And that's exactly what it is. It is this industry that is going to be impacted by these extraordinary, majority percentages of recycling that will directly affect them. And I think Senator Topinka's absolutely right. I think that these goals are -- are -- are not attainable in the immediate future and by the time the dates are set. And I would hope that you would vote with Senator Topinka to override this motion. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz. Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I also rise in strong support of the motion filed by Senator Topinka. This

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was an excellent compromise in June. It remains an excellent compromise in November. I would urge a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I too rise in strong support of the motion to override the Governor's recommended changes. And I am surprised, having been visited as we always are with noncompliance, that this was not held in noncompliance. The Governor took what was a workable compromise and literally added something to it that everybody in both Chambers knew would never pass, had it been in it in the first place. I think this is an abuse of the Gubernatorial power, and should be overridden by all of us unanimously.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Topinka may close.

SENATOR TOPINKA:

I thought President Rock's finale was more than adequate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall House Bill 3183 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate <sic> Bill 3183, having received the required three-fifths vote, is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. 3585. Senator Rea. Madam Secretary, House Bill 3-5-8-5.

SECRETARY HAWKER:

I move that House Bill 3585 do pass, the specific recommendations of the Governor to the contrary notwithstanding.

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Filed by Senator Rea.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. This amends the Illinois Coal Technology Development Assistance Act and increases the Coal Technology Development Assistance bond funding. It raised the percentage of revenues from the public utilities tax into the Coal Technology Development Assistance. And this comes at time when we have the federal air quality legislation that is going to have a serious effect upon the coal industry in the State. It's going to have a serious effect upon the jobs. And we do have a period of time to -- we have a breather period. And we do need to expedite our coal research and development as rapidly as we can to find the technology that is economically feasible to go commercially. So I would certainly ask for your Aye vote on this important piece of economic development legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Ralph Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. I agree with what Senator Rea says. This is the Coal Development Board -- a Citizens Utility Board bill that was brought up, and it would not be General Revenue Fund. It would be money from the utility tax. I'd urge an Aye vote. We're having a lot of trouble in the coal industry, and this would give us a better opportunity in years to come. So I urge for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)



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Sponsor -- sponsor indicates he will yield. Senator Fawell.

SENATOR FAWELL:

Could you -- could you tell me approximately how much this is going to cost if we override the Governor's veto?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rea.

SENATOR REA:

Well, actually, this would be phased in over a period of three years -- five million more. But that money has already been collected through the public utility tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Well, according to our analysis, the fiscal impact of the original bill, as passed, is 15.6 million dollars to the General Revenue Fund. After the Governor's veto, the fiscal impact will be one million dollars to the General Revenue Fund. You know, again, it's a -- it's a nice idea, but I don't know how in the world we're going to be able to come up with all the money. If we turn down hospitals, I think we ought to think seriously about turning down this, too.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rea may close.

SENATOR REA:

Let me just respond by saying there's a cap there of ten million, so there's no way that that could happen. I would ask for an Aye vote. This is a very important piece of legislation for coal development, which the State of Illinois has the largest reserves of any state. And it's very important that we move very rapidly with our coal research and development. And would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Question is, shall House Bill 3585 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? 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, the Ayes are 35, the Nays are 19, none voting Present. The motion, having failed to receive the required three-fifths -- the motion, having failed to receive the required three-fifths vote, is declared lost. House Bill 3766, Madam Secretary.

SECRETARY HAWKER:

I move that House Bill 3766 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Filed by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. House Bill 3766 does three things. One, it cleans up the language regarding child support fee payments to the clerk of the circuit courts. Secondly, it exempts the Attorney General and State's Attorney from paying certain fees when they file certain actions in the Cook -- in the DuPage County Circuit Court. The controversial part was the part that authorizes circuit clerks in counties where a correctional facility is located to hire one additional employee. And we've allocated, or provided in here, a -- a maximum of ten thousand dollars to pay that additional employee. Now, there are thirty-seven counties that have a correctional facility within their boundaries. This bill would cost three hundred and seventy thousand dollars for those thirty-seven additional circuit clerks to process all of the papers that we know are generated as a

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result of those correctional facilities. I think it's money well spent. The Governor vetoed it because of the fiscal impact. I ask that we override the amendatory veto -- or, I'm sorry, the language change amendatory veto, and that we provide that additional help to downstate circuit clerks. Be glad to respond to any question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? If not, the question is, shall House Bill 3766 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 3, none voting Present. House Bill 3766, having received the required three-fifths vote, is declared passed, the specific recommendations to the contrary notwithstanding. Page 21. 3771. Senator Macdonald. Senator Macdonald.

SENATOR MACDONALD:

Yeah. Mr. President, at the request of the House sponsor, we are waiting for a compromise language from the Governor for a compromise on this particular piece of legislation. And I would ask if we could take it out of the record momentarily till we have some word from the Governor's Office and from Representative Breslin.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We'll -- well, since we haven't put it into the record, we'll just skip it for the time being. We'll stand at ease for a couple of minutes.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, if I could ask your attention please. We do not have yet remaining an awful lot of work, but there have been a number of Member requests to go back

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on the Calendar for the purpose of amendments and for the purpose of defeating first conference committee reports, so that everything can be postured so that we can deal with whatever we want to deal with tomorrow. I will attempt to accommodate the Members' requests. But I'd ask you please to be in your seats and be attentive, so that there's no misunderstanding as to what's going on around here. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 1497 offered by Senators Severns, President Rock and all Members.

Senate Resolution 1498 offered by Senators Kelly, Jeremiah Joyce, Daley, Newhouse and Savickas.

Senate Resolution 1499 offered by Senator Daley.

Senate Resolution 1500 and 1501 offered by Senator Daley. They're all death resolutions and congratulatory resolutions.

PRESIDENT ROCK:

Consent Calendar. Resolutions.

SECRETARY HAWKER:

Senate Resolution 1502 offered by Senators Woodyard, Keats and Zito.

PRESIDENT ROCK:

All right. The Gentlemen -- the sponsors have asked that that be placed, as were earlier resolutions, on the Order of Secretary's Desk, so that it can be dealt with tomorrow. Is there any objection? All right. Without objection, that resolution will be placed on the Secretary's Desk. It will show up on the Calendar tomorrow. We'll attempt to deal with it. Resolutions.

SECRETARY HAWKER:

Senate Joint Resolution 225 offered by President Rock.

And Senate Joint Resolution 226 offered by Senator Dudycz. That's a Constitutional Amendment. They're both substantive.

PRESIDENT ROCK:

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Executive. Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 2321 offered by Senator Dudycz.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT ROCK:

Rules Committee. Messages from the House.

SECRETARY HAWKER:

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 amendments -- Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 983.

PRESIDENT ROCK:

Hold it. Hold it. No. Then give me -- tell me who the sponsor is, so we see what they want to do. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that we accede to the request of the House and a conference committee be appointed.

PRESIDENT ROCK:

All right. Senator Weaver has moved that the Senate accede to the request of the House. Any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. Senate does accede to the request of the House, and the Secretary shall so inform the House. Messages from the House.

SECRETARY HAWKER:

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 3793 and requests a Second Conference Committee to consider the differences between

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the two Houses with regards to Amendments 1 and 2.

PRESIDENT ROCK:

Senator Daley, do you move to accede to the request of the House for a Second Conference Committee? Senator Daley does move to accede to the request of the House for a Second Conference Committee. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Further messages from the House?

SECRETARY HAWKER:

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 Senate Bill 2239 and requests a Second Committee of Conference to consider the differences between the two Houses in regards to Amendments 1, 3, 4 and 5.

PRESIDENT ROCK:

Senator Savickas moves that the Senate accede to the request of the House for a Second Conference Committee. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Messages from the House.

SECRETARY HAWKER:

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 Senate Bill 1951 and requests a Second Committee of Conference to consider the difference between the two Houses with regards to Amendment No. 1.

PRESIDENT ROCK:

Senator Jones has moved to accede to the request of the House. Discussion? If not, all in favor, indicate by saying Aye. All

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opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Further messages from the House?

SECRETARY HAWKER:

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

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

Senate Bill 1310 with House Amendments 1 and 2.

PRESIDENT ROCK:

All right. Secretary's Desk, Concurrence.

SECRETARY HAWKER:

I have a like Message on Senate Bill 2012 with House Amendment No. 1.

PRESIDENT ROCK:

Secretary's Desk, Concurrence. Senator Dudycz, for what purpose do you seek recognition?

SENATOR DUDYCZ:

Mr. President, I filed a written motion.

PRESIDENT ROCK:

I'm -- I'm sorry. Senator Dudycz, I'm sorry.

SENATOR DUDYCZ:

Mr. President, I filed a written motion.

PRESIDENT ROCK:

Yes. The -- we will get to the motion. We've got a number of requests to get on the Calendar from Senators Woodyard and Maitland and a number of others. We will get to that order.

END OF TAPE

TAPE 3

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PRESIDENT ROCK:

Resolutions.

SECRETARY HAWKER:

Senate Joint Resolution 222 <sic> offered by Senator Donahue.  
It is congratulatory.

PRESIDENT ROCK:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would ask leave of the Body for immediate consideration of House <sic> Joint Resolution 227. It's a congratulatory message.

PRESIDENT ROCK:

All right. Senator Donahue has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 227, a congratulatory resolution that she wishes to have House action on as soon as possible. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Donahue now moves the adoption of Senate Joint Resolution 227. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right. Ladies and Gentlemen, if you'll bear with me, we've got four or five items on the Calendar that Members have requested that we address, and there are two additional motions that are filed. And then we will have concluded our business for today. If I can direct your attention to Page 8. Page 8 on the Calendar. On the Order of House Bills 2nd Reading we have House Bill 2867. Senators Woodyard and Jacobs. Read the bill, Madam Secretary, please. Senator Demuzio, for what purpose do you arise? I'm sorry.

SENATOR DEMUZIO:

I move we adjourn till tomorrow morning.

PRESIDENT ROCK:



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Well, we have afforded the Members the opportunity to at least get this stuff in place, and I -- I would ask you please to withhold that motion. There are some matters of some interest here. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 2867.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Are there amendments from the Floor?

SECRETARY HAWKER:

Senators Woodyard and Jacobs offers Amendment No. 1.

PRESIDENT ROCK:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President -- thank you, Mr. President and Members of the Senate. I certainly apologize to this Body for bringing this issue to you so late in the Veto Session, but I only became aware of the problem about two and a half weeks ago. Seemingly, in 1989 this Body passed, and was signed into law, a bill which, in essence, will put the people who do van conversions out of business. Those particular people operate under a special category of dealer's license, and we think - although we're not sure - that there're only four or five of these people in the State. What happened when this bill triggers into effect January 1, 1991 -- it says that a person who converts these vans must sell them under a used title, which in essence will put them out of business. In the van converters case in my district, he's right along the Wabash River, and he very definitely will move across the State line, and it will cost the State of Illinois about a million and a half dollars a year just to put him out of business, and I think that's rather ridiculous. So what this amendment does

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is -- is move the timetable - a trigger date of that legislation - back by six months. It doesn't try to repeal anything. It -- it doesn't do anything to the original legislation. It simply gives us some time to see if we can work out some kind of compromise. So that's what this amendment to House Bill 2867 does. And I would urge its adoption.

PRESIDENT ROCK:

All right. Senator -- Senator Woodyard has moved the adoption of Amendment No. 1 to House Bill 2867. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. On the Order of House Bills 2nd Reading also is House Bill 3037. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 3037.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. House Bill 3037 is going to be -- we're going to delete everything after the enacting clause, and impose in there language that will address a recent problem facing the Student Assistance Commission. A recent Illinois Supreme Court decision found in favor of the plaintiffs, and the Statute found unconstitutional allowed ISAC to file all lawsuits on delinquent and defaulted student loans in the County of Cook. And the language then that will -- that will parallel or address the Supreme Court decision will allow the

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Commission to file any and all lawsuits on delinquent and defaulted student loans in the County of Cook where venue shall be deemed proper. Then a defendant will have the right to request a change of venue. I know of no opposition. I therefore, Mr. President, move for the adoption of Amendment No. 1.

PRESIDENT ROCK:

Senator Maitland has moved the adoption of Amendment No. 1 to House Bill 3037. Any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Ladies and Gentlemen, if you'll turn to Page 10. On the Order of Secretary's Desk, Concurrence, there's House Amendment 1 to Senate Bill 2237. Senator Savickas has agreed to hold that until tomorrow, at my request. And I appreciate that. Top of Page 11. On the Order of Conference Committee Reports, there's a first report that I understand we have to dispose of, so that a second can be put into place. Madam Secretary, on the Order of Conference Committee Reports, there's a first report with respect to Senate Bill 2239, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 2239.

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Yes. I would move to reject Conference Committee Report No. 1 and ask for a second conference committee to be appointed.

PRESIDENT ROCK:

All right. The question is placed, as you know, in the affirmative. So the question is, shall the Senate adopt the

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Conference -- Senator -- I'm sorry. Discussion? Senator Fawell.

SENATOR FAWELL:

Senator Savickas, could you tell me what you plan on doing with Senate Bill 2239?

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

First, we wish to not approve this First Conference Committee Report, because it is in error, and hopefully get the second conference committee report put together to put this bill in -- in its -- in a proper form that you will accept and vote for. The bill will be dealing with the -- the billboards that are on our State highways.

PRESIDENT ROCK:

All right. The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 2239. Those in favor will vote Aye. Opposed, vote Nay, and the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 9 Ayes, 17 Nays, 1 voting Present. The Senate does not adopt the First Conference Committee Report on Senate Bill 2239, and the bill -- the Conference Committee Report is not adopted, and the Secretary shall so inform the House. And Senator Savickas has requested that a second committee of conference be appointed, and Madam Secretary shall so inform the House. Top of Page 12. Senator Dunn has requested that we go to the Order of Consideration Postponed, Conference Committee Reports, for the purpose of dealing with a conference committee report on House Bill 3310, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 3310.

PRESIDENT ROCK:

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Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I move to reject the First Conference Committee and appoint a second.

PRESIDENT ROCK:

I'm sorry, Senator Dunn, I was...

SENATOR T. DUNN:

I move -- I move to reject the First Conference Committee Report on...

PRESIDENT ROCK:

The question, again, is placed in the positive, as you know. The question is, shall the Senate adopt the Conference Committee Report on House Bill 3310. Those in favor, vote Aye. Opposed, vote Nay, and the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are no Ayes and 26 Nays, none voting Present -- 2 voting Present. The Senate does adopt the Conference Committee Report -- does not adopt the Conference Committee Report, and the Secretary shall so inform the House, and Senator Dunn has requested the appointment of a second committee on conference. Senator Marovitz, we're checking that out. We'll get back to it. We'll go now to the Order of Motions in Writing, Madam Secretary. The Chair is led to believe that a couple of motions have been filed. I'd ask the Members' attention. We have only remaining before us two additional Motions in Writing, and then we will have concluded our business for today. But I'd ask you, please, to pay attention. Madam Secretary, Senator Dudycz indicates he has a Motion in Writing. Read the motion, please.

SECRETARY HAWKER:

Having voted on the prevailing side, I move to reconsider the vote by which the item on Page 8, line 35, of House Bill 3544 was restored, the veto reduction of the Governor to the contrary

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notwithstanding.

Filed by Senator Dudycz.

PRESIDENT ROCK:

Senator Dudycz.

SENATOR DUDYCYZ:

Yes. Thank you, Mr. President. Like the Secretary read, I voted on the prevailing side and I do move to reconsider the vote by which the item on Page 8, line 35, of House Bill 3-5-4-4 was restored, the veto reduction of the Governor to the contrary notwithstanding.

PRESIDENT ROCK:

All right. Senator Dudycz has moved to reconsider the vote by which the item on Page 8, line 35, of House Bill 3544 was declared restored. That -- that motion will require 30 affirmative votes. Discussion on the motion? Senator Carroll.

SENATOR CARROLL:

Here we go again. It's interesting. Here we passed circuit breaker funding for seniors. That's the issue. I notice that the sponsor of the motion did not want to discuss the issue. The issue is simple. Are we going to give the money to the seniors who are entitled to the circuit breaker grant? We passed that on a roll call with 31 votes. Now one of those who voted for the seniors wants to vote against the seniors. I would suggest the vote we took was the correct vote. I believe we owe these seniors this money. We have no choice but to pay them this money. These are the senior citizens of Illinois, who are entitled by State law to these circuit breaker grants, and I think now to try and change that is totally wrong. I would urge strong opposition to this Motion to Reconsider the vote. I think the people here felt that they voted correctly when they voted to side with the seniors to give them this twenty million dollars. Any other vote would be totally wrong. I would urge opposition to the Motion to

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Reconsider.

PRESIDENT ROCK:

Further discussion on the Motion to Reconsider? Senator Dudycz, you wish to respond or close, please?

SENATOR DUDYCYZ:

I just ask for a favorable vote on the reconsideration.

PRESIDENT ROCK:

All right. Senator Dudycz, having voted on the prevailing side, is moving to reconsider the vote by which the item on Page 8, line 35 of House Bill 3544 had been declared restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor of the motion will vote Aye. Opposed to the motion will vote Nay, and the voting's 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 30 Ayes, 27 Nays, none voting Present, and the motion prevails. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Verification.

PRESIDENT ROCK:

That request is in order. Senator Demuzio has requested a verification of the affirmative vote. Will the Members please be in their seats. Madam Secretary, please read the affirmative vote.

SECRETARY HAWKER:

The following Members voted in the affirmative: Barkhausen, Davidson, DeAngelis, Donahue, Dudycz, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Hudson, Karpziel, Keats, Kustra, Lechowicz, Macdonald, Madigan, Mahar, Maitland, Philip, Raica, Rigney, Savickas, Schaffer, Schuneman, Topinka, Watson, Weaver, Welch and Woodyard.

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Senator Demuzio, do you question the presence of any Member?  
Senator Demuzio. Hello.

SENATOR DEMUZIO:

Senator Watson.

PRESIDENT ROCK:

Senator Watson on the Floor? Senator Watson is in the back  
of the Chamber, Senator Demuzio.

SENATOR DEMUZIO:

Well, that's too bad. Senator Welch.

PRESIDENT ROCK:

Senator Welch is in his seat.

SENATOR DEMUZIO:

Senator Lechowicz.

PRESIDENT ROCK:

He is in his seat.

SENATOR DEMUZIO:

Senator Davidson.

PRESIDENT ROCK:

Senator Davidson's in his seat.

SENATOR DEMUZIO:

Senator Kustra.

PRESIDENT ROCK:

Senator Kustra is in his seat.

SENATOR DEMUZIO:

Well then, Mr. -- Mr. President, may I ask you, is there  
anyone that I -- should be verified that I can't find?

PRESIDENT ROCK:

I -- I, too, am in my seat. All right. The roll has been  
verified. On that motion, there are 30 Ayes, 21 Nays. The motion  
carries, and the vote is reconsidered, and will go -- all right.  
Senator Marovitz earlier had a -- Senator Demuzio, for what  
purpose do you arise?



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SENATOR DEMUZIO:

I renew my motion. I move we adjourn till tomorrow.

PRESIDENT ROCK:

I would ask you again, as a matter of courtesy -- we have two Members yet remaining that have similar motions. We'll -- we'll be out of here in five minutes. On the Order of Conference Committee Reports, Madam Secretary. Page 10, Ladies and Gentlemen. Senator Marovitz has assumed the sponsorship of House Bill 4126. There's a Conference Committee Report on House Bill 4126, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report of House Bill 4126.

PRESIDENT ROCK:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President. As many Members before me, I'm really asking that we dump this and we'll have a second conference committee. There are some errors in the first report. I know it has to be put in the affirmative, but I, myself, will be voting No so we can have second conference committee.

PRESIDENT ROCK:

All right. Question is, shall the Senate adopt -- is there any discussion? I'm sorry. If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 4126. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 3 Ayes, 31 Nays, 1 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House, and also inform the House of Senator Marovitz's request for a second conference committee. One final motion remaining. Madam Secretary, read the motion, please.

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SECRETARY HAWKER:

I move to suspend rule 5C for the purpose of immediate consideration of House Bill 2570.

Offered by Senator Zito.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, top of Page 7. I'll direct your attention to the top of Page 7. The motion is with respect to House Bills 3rd Reading, House Bill 2570. Senator Zito has moved to go to that order of business, and asks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, Madam Secretary. 2nd Reading.

SECRETARY HAWKER:

House Bill 2570.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDENT ROCK:

Senator Zito, could we hold a minute? Senator Weaver indicates he has another amendment. I think he's -- you want to put this one on, or you going to take some off? All right. Senator Zito. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and Members. I understand that there are additional amendments. I would like to deal with my amendment, which would delete everything after the enacting clause, and add four sections that have been discussed by the financial industry of this State over the summer and during this fall. We have come to an agreement on these four points, and I'll briefly explain what those four points are in this amendment. The first issue talks about the extension - from six months to two years - the time in which a bank may relocate the main office or branch of an acquired defaulted savings and loan or bank. The

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second provision would allow that all the banks in a consortium of banks that purchases a failed savings and loan to operate the former thrift's branches as bank branches. The third provision permits State banks to purchase Israeli bonds, and the fourth and final provision would permit the ISAC to condition a school's eligibility to participate in scholarship and grant programs upon the school's agreement to use the State as the primary guarantor or -- of its guaranteed students loans. I might also mention to the Membership that again, these points have been discussed thoroughly with the industry. I know that Senator Keats and I have been involved in those meetings. I know of no opposition, and would ask for the adoption of Floor Amendment No. 1.

PRESIDENT ROCK:

All right. Senator Zito has moved the adoption of Amendment No. 1 to House Bill 2570. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, That -- your amendment doesn't include any right to the banks to sell insurance, does it?

PRESIDENT ROCK:

Senator Zito.

SENATOR ZITO:

No.

PRESIDENT ROCK:

All right. Senator Zito has moved the adoption of Amendment No. 1 to House Bill 2570. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments are coming down the aisle. Further amendments, Madam Secretary?

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SECRETARY HAWKER:

Amendment No. 2 offered by Senator Weaver.

PRESIDENT ROCK:

...(machine cutoff)... Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This amendment makes changes to the Illinois Bank Examiners' Education Foundation Act and the Illinois Banking Act. It empowers the Board of Trustees of the Illinois Bank Examiners' Education Foundation to authorize a transfer of 1.3 million dollars from available funds in the Illinois Bank Examiners' Education Fund for deposit into the Bank Trust Company Fund. This is necessary to solve what will be an immediate cash-flow need in late December-early January. It contains provisions for payback plus interest of this 1.3 million dollars over a three-year period. There will be no interest lost to the Education Fund during that time, as the payback will be including interest as well as principal. And I'd move adoption.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of Amendment No. 2 to House Bill 2570. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Has this amendment been passed out? If it hasn't, I -- I would like to be joined by five people and -- and ask that it be passed out before we -- before we go into this.

PRESIDENT ROCK:

The requisite number have requested of the amendment. Madam Secretary, please have the amendment -- all he has to do is withdraw it. It was on 3rd Reading. We can do it tomorrow if -- no. All right. Senator Demuzio.

SENATOR DEMUZIO:

I would also, you know, would ask that -- to have the Chair

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determine as to whether or not this amendment is germane.

PRESIDENT ROCK:

That request is in order. Senator Weaver, for what purpose do you arise, sir?

SENATOR WEAVER:

Thank you, Mr. President. I'll be happy to withdraw the amendment, with the understanding that we can consider the amendment tomorrow.

PRESIDENT ROCK:

That's fair enough. Senator Demuzio and I will read it over the weekend. All right. Madam Secretary, Amendment No. 2 has been withdrawn at the request of the sponsor. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Senator Zito, for what purpose do you arise, sir?

SENATOR ZITO:

As the sponsor, I'd like to have some input to that request.

PRESIDENT ROCK:

Which -- input with what request?

SENATOR ZITO:

Well to -- to get back to the -- the amendment -- and I was prepared to do that today. And I understand Senator Weaver's dilemma. I do not want to jeopardize the amendment that I put on, or the passage of this bill in the few days or few hours that we have remaining in Session. I -- I would ask the Chair if we're going to have an opportunity to hear his amendment, which I -- I've said to Commissioner Harris that I would, in fact, entertain it; I would not sponsor it. Senator Weaver has been gracious enough to sponsor it, but I don't want it to jeopardize the

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passage of the four points that are very important to the financial industry in the State of Illinois.

PRESIDENT ROCK:

The -- the Chair has afforded, I think, above and beyond the call, the opportunity for every Member to present whatever they've had, and will do so tomorrow. Yes. Further business to come before the Senate? Your Motion to Adjourn is finally in order. The Senate will stand -- Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Thank you, Mr. President, Members of the Senate. There's been quite a bit of criticism coming over to this side of the aisle, especially this row, and I -- I want -- would like to be relieved as captain of this row immediately - now.

PRESIDENT ROCK:

Sam, I -- Sam, I can't -- I can't do that for you. You're much too important for that row. Any further business to come before the Senate? If not, Senator Demuzio's third Motion to Adjourn is in order. We'll adjourn until nine o'clock tomorrow morning, Ladies and Gentlemen. Nine o'clock tomorrow morning.

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