

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

88th Legislative Day

March 31, 1992

PRESIDENT ROCK:

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 Eugene Green, Trinity CME, Decatur, Illinois. Reverend.

THE REVEREND EUGENE GREEN:

(Prayer by the Reverend Eugene Green)

PRESIDENT ROCK:

Thank you, Reverend. Reading of the Journal, Madam Secretary. Senator Hall.

SENATOR HALL:

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

PRESIDENT ROCK:

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

SECRETARY HAWKER:

To the Honorable President of the Senate:

Sir - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bills that are being returned by the Governor with specific recommendations for change.

Senate Bills 264, 972 and 1421.

Respectfully, George H. Ryan, Secretary of State.

PRESIDENT ROCK:

Committee Reports.

SECRETARY HAWKER:

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Please be advised that the -- that effective immediately, Senator John Cullerton will serve as Chairman of the Senate Local Government Standing Committee. Thank you for your attention to this matter. Very truly yours, Senator Sam Vadalabene, Chairman of the Committee on Committees.

Please be advised that effective February 14, 1992, Senator Pamela Munizzi will serve on the following Senate Standing Committees: Transportation - Vice Chair; Elections and Reapportionment; Judiciary II; Consumer Affairs; Finance and Credit Regulations. Thank you for the attention to this matter. Very truly yours, Senator Sam Vadalabene, Chairman of the Committee on Committees.

PRESIDENT ROCK:

If I can have your attention, WAND-TV has requested permission to shoot some video. Without objection, leave is granted. If I can have your attention, we have some special guests with us today - the State Basketball Champions, Class A. And the Chair will yield to Senator Severns for an introduction. If we can have your attention, please, for a moment.

SENATOR SEVERNS:

Thank you, President Rock and Members of the Senate. We're waiting for the State Champs to come from the anteroom, here. It is my distinct honor to be able to introduce to you today the State Basketball Champs of Illinois. And it's a special honor, not only because I'm the -- I have the privilege of representing them, but they are the smallest school in the State - the Findlay Falcons - ever to win the State Championship in this State. With ninety-six students strong, this school has stood tall and won a victory that I think is more than well deserved, and they've won it with the hard work and courage that all of us applaud. It's my distinct honor today to be able to introduce, not only the Head Coach, Mike Reynolds - who I'll ask to share a few words - but

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also Assistant Coach Brett Chaney -- in fact, why don't each of these players and coaches hold up their hand as we introduce. The members of the Findlay Falcon team: Jim Allen, Michael Beem, Tyler Bradford, Jeremy Chaney, Dustin Cruitt, John Cruitt, Joey Howell, Cameron Lawrence, Greg Mitchell, Eric Smith, Tony Sparks, Clayton Stivers and Jason Tucker. Also, the cheerleaders, who didn't have the opportunity to join today, who -- who were quite supportive in the efforts, as well. I'd like Coach Reynolds to come forward and just share a few words with us. But I -- it's my distinct honor for us to be able to pass unanimously a resolution -- a joint resolution honoring this team. Coach Reynolds.

COACH REYNOLDS:

(Remarks by Coach Reynolds)

SENATOR SEVERNS:

Senator Holmberg, in particular, who thinks that only short people come from my district, I just wanted to bring this State Basketball Team over to prove otherwise. Thank you very much for giving us a few moments today.

PRESIDENT ROCK:

All right. With leave of the Body, we'll move to the Calendar. Page 4 on the Calendar, on the Order of House Bills 1st Reading. House Bills 1st, Madam Secretary.

SECRETARY HAWKER:

House Bill 237 offered by Senator Dunn.

(Secretary reads title of bill)

House Bill 257.

(Secretary reads title of bill)

House Bill 523 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 992 offered by Senator Welch.

(Secretary reads title of bill)

House Bill 1011 offered by Senator Brookins.

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(Secretary reads title of bill)

House Bill 1598 offered by Senator Welch.

(Secretary reads title of bill)

House Bill 2164 offered by Senator Welch.

(Secretary reads title of bill)

House Bill 2698 offered by President Rock.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Those bills that were read in will go to the Rules Committee. Senator Lechowicz, for what purpose do you arise, sir?

SENATOR LECHOWICZ:

Mr. President, for the purpose of an announcement and an introduction. If I could have the Body's attention, I would like to introduce to you this afternoon the President of the Cook County Board, Mr. Richard Phelan, who has joined us. Let's give him a warm welcome. Aldo, don't hold back.

PRESIDENT ROCK:

Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 1001 offered by Senator Karpziel.

Senate Resolution 1002 offered by Senator Vadalabene.

Senate Resolution 1003 offered by Senator Rigney.

Senate Resolution 1004 offered by Senator Ralph Dunn.

Senate Resolutions 1005 and 1006 offered by Senator Ralph Dunn.

Senate Resolution 1007 offered by Senator Alexander.

Senate Resolution 1008 offered by Senator Munizzi and all Members.

Senate Resolution 1009 offered by Senator Karpziel.

Senate Resolution 1010 offered by Senator Karpziel.

Senate Resolution 1011 offered by Senator Watson.

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Senate Resolution 1012 offered by Senator Macdonald.

Senate Resolutions 1013 and 1014 offered by Senator Macdonald.

Senate Resolution 1015 offered by Senator Ralph Dunn.

Senate Resolution 1016 offered by Senator Pam Munizzi.

Senate Resolution 1017 offered by Senator Munizzi and all Members.

Senate Resolution 1018 offered by Senator Munizzi and all Members.

Senate Resolution 1019 offered by Senator Vadalabene.

Senate Resolution 1020 offered by Senator Vadalabene.

Senate Resolutions 1021 and 1022 offered by Senator Macdonald.

Senate Resolution 1023 offered by Senator Thomas Dunn and all Members.

Senate Resolution 1024 and 1025 offered by Senator Kelly.

Senate Resolution 1026 offered by Senator Watson.

Senate Resolution 1027 offered by Senator Ralph Dunn.

Senate Resolution 1028 offered by Senator Munizzi.

Senate Resolution 1029, 1030, 1031, 1032, offered by Senator Kelly.

Senate Resolution 1033 offered by Senator Mahar.

Senate Resolution 1034 offered by Senator Karpziel.

Senate Resolution 1035 offered by Senator Fawell.

Senate Resolution 1036 offered by Senator J.E. Joyce.

Senate Resolution 1037 offered by Senator Karpziel.

Senate Resolution 1038 offered by Senator Ralph Dunn.

Senate Resolution 1039 offered by Senator Ralph Dunn.

Senate Resolution 1040 offered by Senator Carroll and all Members.

Senate Resolution 1041 offered by Senator Hawkinson.

Senate Resolution 1042 offered by Senator Munizzi and all Members.

Senate Resolution 1043 offered by Senator Ralph Dunn.

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Senate Resolution 1044 offered by Senator Hawkinson.

Senate Resolution 1045 offered by Senator Ralph Dunn and all Members.

Senate Resolution 1046 offered by Senator Ralph Dunn.

Senate Resolution 1047 offered by Senator Kelly.

Senate Resolution 1048 offered by Senator Ralph Dunn.

Senate Resolution 1049 offered by Senator Berman.

Senate Resolution 1050 offered by Senator Topinka.

Senate Resolution 1051 offered by Senator Macdonald.

Senate Resolution 1052 offered by Senator Topinka.

Senate Resolution 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061 offered by Senator Topinka.

Senate Resolution 1062 offered by Senator Holmberg and all Members.

Senate Resolution 1063, 1064, 1065 offered by Senator Topinka.

Senate Resolution 1066 offered by Senator Raica.

Senate Resolution 1067 offered by Senator Macdonald.

Senate Resolution 1068 offered by Senator Ralph Dunn.

Senate Resolution 1069 offered by Senator Etheredge.

Senate Resolution 1070 offered by Senator Demuzio.

Senate Resolution 1071 and Senate Resolution 1072 offered by Senator Demuzio and all Members.

Senate Resolution 1073 offered by Senator Holmberg.

Senate Resolution 1074 and 1075 offered by Senator Ralph Dunn.

Senate Resolution 1076 offered by Senator Ralph Dunn and all Members.

Senate Resolution 1077 offered by Senator Munizzi and all Members.

Senate Resolution 1078 offered by Senator Dudycz.

Senate Resolution 1079 offered by Senator Dudycz.

Senate Resolution 1080 offered by Senator J.E. Joyce.

Senate Resolution 1081 offered by Senator Topinka and all

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Members.

Senate Resolution 1082 offered by Senator Topinka and all Members.

Senate Resolution 1083 offered by Senator Geo-Karis.

Senate Resolution 1084 offered by Senator Jones.

Senate Resolution 1085 offered by Senator Geo-Karis.

Senate Resolution 1086 offered by Senator Geo-Karis.

Senate Resolution 1087 offered by President Rock and all Members.

Senate Resolution 1088 offered by Senator -- President Rock and all Members.

Senate Resolutions 1089, 1090, 1091 offered by President Rock and all Members.

Senate Resolution 1092 offered by Senator Topinka.

Senate Resolution 1093 offered by Senator Topinka.

Senate Resolution 1094 offered by Senator Jacobs.

Senate Resolution 1095 offered by Senator Lechowicz.

Senate Resolution 1096 offered by Senator Geo-Karis. Pardon me, that's Senator DeAngelis.

Senate Resolution 1097 offered by Senators Weaver, Butler, Watson and Dudycz.

Senate Resolution 1098 offered by Senator Stanley Weaver. They're all congratulatory and death resolutions.

PRESIDENT ROCK:

Consent Calendar.

SECRETARY HAWKER:

Senate Resolution 1099 offered by Senator Jacobs.

It is substantive.

PRESIDENT ROCK:

Executive.

SECRETARY HAWKER:

Senate Joint Resolution 122 offered by Senator Hudson.

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Senate Joint Resolution 123 offered by Senator Hudson.

Senate Resolution <sic> 124 offered by Senator Severns.

Senate Resolution <sic> 125 offered by Senator Topinka.

Senate Resolution -- pardon me, Senate Joint Resolution 126 offered by Senator -- Senators Philip and Karpel.

Senate Joint Resolution 127 offered by Senator Hawkinson.

Senate Joint Resolution 128 offered by Senators Watson, Etheredge and Thomas Dunn.

They're all congratulatory and death resolutions.

PRESIDENT ROCK:

Consent Calendar.

SECRETARY HAWKER:

Senate Joint Resolution 129 offered by Senator Keats.

Senate Joint Resolution Constitutional Amendment 130 offered by Senators Berman and Maitland.

Senate Joint Resolution Constitutional Amendment 131 offered by Senators Berman and Maitland.

Senate Joint Resolution Constitutional Amendment 132 offered by Senator Collins.

Senate Joint Resolution 133 - Constitutional Amendment - offered by Senator Collins.

Senate Joint Resolution 134 offered by Senators Topinka and Munizzi.

They're all substantive.

PRESIDENT ROCK:

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

SENATOR GEO-KARIS:

Mr. President, on a point of personal privilege. I'm delighted to introduce to this very astute Assembly the Gentleman who's the head of their County Board of Lake County, none other than the distinguished Robert Depke. And I'd like you to welcome him, from Gurnee, Illinois.

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PRESIDENT ROCK:

Welcome. Senator Rea, for what purpose do you arise?

SENATOR REA:

Mr. President, point of special privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR REA:

In the President's Gallery you have some very special guests tonight -- or today. In fact, I have Mr. and Mrs. Darren Fourez, who is also -- Darren is a brother to my secretary here, Bunny Fourez. And we'd like for them to be welcomed to Springfield.

PRESIDENT ROCK:

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

SENATOR SEVERNS:

Thank -- thank you, Mr. President. I also rise on a point of personal privilege.

PRESIDENT ROCK:

State your point, please.

SENATOR SEVERNS:

It's my honor today to have several guests and close friends here in the Chamber today. Along with Reverend Green, who opened our Session with -- with prayer, are his wife, Dorothy, to my right, and a guest from his congregation, Susie Smith, directly behind me. In -- in addition to them, I have some very special friends from Woodstock. In the President's Gallery are Larry and Annette Rafferty and their children, who are paging today; Megan, Lauren, Patrick and Brigit. And it's my honor to have all these friends here with us today, along with the basketball team.

PRESIDENT ROCK:

Will our guests -- will our guests please stand and be

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recognized. Welcome to Springfield. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

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

PRESIDENT ROCK:

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

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, there will be a Republican Caucus in Senator James "Pate" Philip's Office, immediately after the completion of this morning's Session.

PRESIDENT ROCK:

All right. Senator Woodyard, for what purpose do you arise, sir?

SENATOR WOODYARD:

Point of personal privilege, Mr. President.

PRESIDENT ROCK:

State your point, please.

SENATOR WOODYARD:

Mr. President, Members of the Senate, I also have some introductions. I won't go through the kids' names, but I have eight Pages here from St. Mary's Catholic Church in Paris, Illinois. And we're tickled to death to have them with us today.

PRESIDENT ROCK:

Please stand and be recognized. Welcome to Springfield. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

I rise on a point of personal privilege, Mr. President.

PRESIDENT ROCK:

State your point.

SENATOR MACDONALD:

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It's my great honor to introduce a special young lady today. She is former Senator David Regner's granddaughter, and she is here paging with us today. And I'd like to introduce Jennifer Regner from Crystal Lake. Jennifer.

PRESIDENT ROCK:

Jennifer, welcome to Springfield. All right. There's been a request for a Democratic Caucus immediately in Room 212; a Republican Caucus immediately in Senator Philip's Office. The Senate will stand in recess until the hour of two o'clock. Senate stands in recess till two o'clock.

(RECESS)

(SENATE RECONVENES)

PRESIDENT ROCK:

The Senate will come to order. Introduction of Bills, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1532 offered by Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 1533 offered by Senators Severns, Berman, Jacobs and Carroll.

(Secretary reads title of bill)

Senate Bill 1534 offered by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 1535 offered by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 1536 offered by Senator Fawell.

(Secretary reads title of bill)

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Senate Bill 1537 offered by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 1538 offered by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 1539 offered by Senator O'Daniel.

(Secretary reads title of bill)

Senate Bill 1540 offered by Senator Watson.

(Secretary reads title of bill)

Senate Bill 1541 offered by Senators Marovitz and Berman.

(Secretary reads title of bill)

Senate Bill 1542 offered by Senator Jerome Joyce.

(Secretary reads title of bill)

Senate Bill 1543 offered by Senator Jacobs.

(Secretary reads title of bill)

Senate Bill 1544 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1545 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1546 offered by Senator Maitland.

(Secretary reads title of bill)

Senate Bill 1547 offered by Senator Davidson.

(Secretary reads title of bill)

Senate Bill 1548 offered by Senator Davidson.

(Secretary reads title of bill)

Senate Bill 1549 offered by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 1550 offered by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 1551 offered by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 1552 offered by Senator Hall.

(Secretary reads title of bill)

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Senate Bill 1553 offered by Senator Hall.

(Secretary reads title of bill)

Senate Bill 1554 offered by Senators Berman and Maitland.

(Secretary reads title of bill)

Senate Bill 1555 offered by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 1556 offered by Senator Luft.

(Secretary reads title of bill)

Senate Bill 1557 offered by Senator Luft.

(Secretary reads title of bill)

Senate Bill 1558 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1559 offered by Senator Madigan.

(Secretary reads title of bill)

Senate Bill 1560 offered by Senator del Valle.

(Secretary reads title of bill)

Senate Bill 1561 offered by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 1562 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

Senate Bill 1563 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1564 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1565 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1566 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1567 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1568 offered by Senator Hawkinson.

(Secretary reads title of bill)

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Senate Bill 1569 offered by Senator Davidson.

(Secretary reads title of bill)

Senate Bill 1570 offered by Senator Davidson.

(Secretary reads title of bill)

Senate Bill 1571 offered by Senator Davidson.

(Secretary reads title of bill)

Senate Bill 1572 offered by Senator Welch.

(Secretary reads title of bill)

Senate Bill 1573 offered by Senator Welch.

(Secretary reads title of bill)

Senate Bill 1574 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1575 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1576 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1577 offered by Senator Cullerton.

(Secretary reads title of bill)

Senate Bill 1578 offered by Senator Kelly.

(Secretary reads title of bill)

Senate Bill 1579 offered by Senator Kelly.

(Secretary reads title of bill)

Senate Bill 1580 offered by Senator Kelly.

(Secretary reads title of bill)

Senate Bill 1581 offered by Senators Cullerton and Barkhausen.

(Secretary reads title of bill)

Senate Bill 1582 offered by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 1583 offered by Senator Madigan.

(Secretary reads title of bill)

Senate Bill 1584 offered by Senator del Valle.

(Secretary reads title of bill)

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Senate Bill 1585 offered by Senator Etheredge.

(Secretary reads title of bill)

Senate Bill 1586 offered by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 1587 offered by Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 1588 offered by Senator Carroll.

(Secretary reads title of bill)

Senate Bill 1589 offered by Senator Severns.

(Secretary reads title of bill)

Senate Bill 1590 offered by Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 1591 offered by Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 1592 offered by Senator Geo-Karis.

(Secretary reads title of bill)

Senate Bill 1593 offered by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 1594 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1595 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1596 offered by Senator Smith.

(Secretary reads title of bill)

Senate Bill 1597 offered by Senator Topinka.

(Secretary reads title of bill)

Senate Bill 1598 offered by Senator Geo-Karis.

(Secretary reads title of bill)

Senate Bill 1599 offered by Senators Weaver and Philip.

(Secretary reads title of bill)

Senate Bill 1600 offered by Senator Marovitz.

(Secretary reads title of bill)

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Senate Bill 1601 offered by Senator Marovitz.

(Secretary reads title of bill)

Senate Bill 1602 offered by Senators Topinka and Hawkinson.

(Secretary reads title of bill)

Senate Bill 1603 offered by Senator Carroll.

(Secretary reads title of bill)

Senate Bill 1604 offered by Senator Kelly.

(Secretary reads title of bill)

Senate Bill 1605 offered by Senator Marovitz.

(Secretary reads title of bill)

Senate Bill 1606 offered by Senator Kelly.

(Secretary reads title of bill)

Senate Bill 1607 offered by Senator Vadalabene.

(Secretary reads title of bill)

Senate Bill 1608 offered by Senator Kelly.

(Secretary reads title of bill)

Senate Bill 1609 offered by Senator Topinka.

(Secretary reads title of bill)

Senate Bill 1610 offered by Senator Carroll.

(Secretary reads title of bill)

Senate Bill 1611 offered by Senator Hawkinson.

(Secretary reads title of bill)

Senate Bill 1612 offered by Senator Raica.

(Secretary reads title of bill)

Senate Bill 1613 offered by Senator Raica.

(Secretary reads title of bill)

Senate Bill 1614 offered by Senator Raica.

(Secretary reads title of bill)

Senate Bill 1615 offered by Senator Raica.

(Secretary reads title of bill)

Senate Bill 1616 offered by Senator Jacobs.

(Secretary reads title of bill)

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Senate Bill 1617 offered by Senator Jacobs.

(Secretary reads title of bill)

Senate Bill 1618 offered by Senator Etheredge.

(Secretary reads title of bill)

Senate Bill 1619 offered by Senators Friedland and Jacobs.

(Secretary reads title of bill)

Senate Bill 1620 offered by Senator Karpziel.

(Secretary reads title of bill)

Senate Bill 1621 offered by Senator Fawell.

(Secretary reads title of bill)

Senate Bill 1622 offered by Senator Topinka.

(Secretary reads title of bill)

Senate Bill 1623 offered by Senator Topinka.

(Secretary reads title of bill)

Senate Bill 1624 offered by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 1625 offered by Senator Geo-Karis.

(Secretary reads title of bill)

Senate Bill 1626 offered by Senator Rigney.

(Secretary reads title of bill)

Senate Bill 1627 offered by Senator Leverenz.

(Secretary reads title of bill)

Senate Bill 1628 offered by Senator Leverenz.

(Secretary reads title of bill)

Senate Bill 1629 offered by Senator DeAngelis.

(Secretary reads title of bill)

Senate Bill 1630 offered by Senators Woodyard, Hudson,
Macdonald and Madigan.

(Secretary reads title of bill)

Senate Bill 1631 offered by Senator Collins.

(Secretary reads title of bill)

Senate Bill 1632 offered by Senator Jones.

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(Secretary reads title of bill)

Senate Bill 1633 offered by Senator Jones.

(Secretary reads title of bill)

Senate Bill 1634 offered by Senator del Valle.

(Secretary reads title of bill)

Senate Bill 1635 offered by Senators Macdonald and Karpiel.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Resolutions.

SECRETARY HAWKER:

Senate Resolution 1100 offered by Senator Hall, President Rock and all Members.

And Senate Resolution 1101 offered by Senator Topinka.

One is a death and one is a congratulatory resolution.

PRESIDENT ROCK:

Consent Calendar. Ladies and Gentlemen, any further business to come before the Senate? Senator Severns, for what purpose do you arise?

SENATOR SEVERNS:

Thank you, Mr. President. I just want to remind the Members of the State Government Organization & Administration Committee that we will have a meeting tomorrow morning starting promptly at 10:00 in Room 212. Not over in the building next door, but in Room 212 at ten o'clock. Thank you.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The Revenue Committee will meet immediately, please.

PRESIDENT ROCK:

Further business? Senator Maitland, for what purpose do you

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arise, sir?

SENATOR MAITLAND:

Thank you, Mr. President and Members of the Senate. I did -- I did file a motion to -- to recall House Bill 214. I wonder if that might be dealt with today.

PRESIDENT ROCK:

That request is in order. All right. On the Order of Motions in Writing, Madam Secretary, please.

SECRETARY HAWKER:

I move to suspend all appropriate rules and take House Bill 214 from the Order of 3rd Reading and return it to 2nd Reading for the purpose of an amendment.

Filed by Senator Maitland.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President. We'd like to -- to move House Bill 214 back to the Order of -- of 2nd Reading for the purpose of -- of an amendment. And the amendment, I think, has been discussed today at both sides of the aisle. It deals with the additional funding for the group -- group health policy for State employees.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend the rules for the purpose of moving House Bill 214 to the Order of 2nd Reading for purposes of an amendment. Discussion on the motion? Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator Maitland, according to the Balanced Budget Note Act that took effect on January the 1st, are you prepared also to file a Balanced Budget Note with this amendment?

PRESIDENT ROCK:

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Senator Maitland.

SENATOR MAITLAND:

No.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, if I might, for the edification of the Members, then, perhaps I ought to call the attention of the Membership to the fact that the Balanced Budget Note Act indicates that for any supplemental appropriation bill - and that means any appropriation bill that is introduced or amended, including any changes to legislation by means of a -- of the submission of a conference committee report, on or after July 1st of a fiscal year, and proposes, as introduced or amended as case may be, to authorize, increase, decrease, or reallocate any general funds appropriated for that same fiscal year. The general -- the general funds consist of General Revenue, Common School, General Revenue Common School Special Account Fund, and Education. But more -- more specifically, Senator Maitland, the note's contents shall be factual in nature, concise and shall include a brief explanation of the nature of the measure and a reliable estimate of the measure's anticipated effect, in dollars, on the State budget for that fiscal year. The note shall include both the immediate effect and, if determinable or reasonably foreseeable, the long-range effect of the measure. A brief summary or work sheet of the computations used in arriving at figures contained in the Balanced Budget Note shall be included. Each Balanced Budget Note shall include a discussion of the proposed reduction in other appropriations or increases in State revenue that would allow the measure to be adopted without adversely affecting the State budget for that fiscal year. It seems to me that -- Senator Maitland, that if we are ready to proceed with this amendment, that we ought

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to comply with the Balanced Budget Note Act, which took effect in January, before we proceed, so that we might have all of that information for every legislator in here, as to how this is going to have the direct effect on the -- on the funds from which -- the accounts from which the funds are being drawn, and also the net effect on the Road Fund.

SENATOR MAITLAND:

Thank you, Mr. -- Mr. President and Members of the Senate. Senator Demuzio, you and I both understand the emergency nature of -- of what we are attempting to do here today. And I would ask -- I would like to ask of you, sir, and leave of the Body to waive -- to waive the Act and allow this motion to persist.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Demuzio.

SENATOR DEMUZIO:

John, that's very good. I've been here eighteen years. How do -- how do you waive a law? I -- I don't know how we do that. It just seems to me that we ought to comply with the Act as of January the 1st, that we ought not to attempt to circumvent the process and circumvent those laws that -- that -- that we wish to comply with or those that we don't wish to comply with. It seems to me that this is an important subject. It seems to me that that information was one that passed almost unanimously in this Chamber and also in the House Chamber. If we are -- legislators are going to go against that -- those Acts and those laws that we passed, then why are we here? It seems to me that we ought to comply.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in opposition to this Motion to Suspend the Rules, for the reason that it seems to me I heard - along with every other Member

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of this Chamber at some great length last June and early July - that the Governor of this State did not intend ever to deal with the fiscal year's budget piecemeal. And it seems to me that's exactly what he is now proposing - a piecemeal approach. As I'm sure everyone is aware, next Tuesday we will have the opportunity to convene in Joint Session to hear publicly the Governor's budget recommendations for the next fiscal year. And as everybody also well knows, part of that pronouncement, obviously, always is, "What about the remainder of this fiscal year?" And so, there is usually at the back of that budget book a list of proposed supplemental appropriations to finish out this fiscal year. I don't know of anybody that can stand here and tell me - or attempt to tell me - that there will not be any other appropriations of a supplemental nature requested. It just doesn't seem logical or reasonable, given the demand on government that we have seen, given the demand on entitlement programs, and confronted with the fact that the Comptroller of Illinois is sitting there with somewhere in the neighborhood of seven hundred million dollars of unpaid bills on her desk and is confronted with a forty-eight-million-dollar General Revenue balance - as of today - I am reliably informed. It just seems to me that this is indeed a piecemeal approach. I had suggested to the Minority Leader that next week would be more appropriate -- a more appropriate time to deal with this. And I renew that request and would urge opposition to this motion, if indeed the Gentleman persists.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As -- like everyone else here, we just received the list that would be the subject matter, I guess, of the amendment - we presume to be the amendment. There are a hundred and seven funds

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in that list. I'll read all hundred and seven of 'em. No, not really. I think the concern is not whether or not we should be paying for the health care of the State employees who have, in fact, been making their contribution to the system, but whether legally we can take from some of these funds for this purpose: U.S. Environmental Protection Fund; the Social Security and Employment Service Fund; yes, the State Pension Fund; the Unemployment Compensation Special Fund; Pharmacy Disciplinary Fund; Public Utility Fund; the Lottery; the Road Fund; the Drunk and Drugged Driving Prevention Fund; child support funds; funds for people in need of energy assistance; Children and Family Services funds; job training funds; the pension funds; USDA Woman and Infant Care Fund; on, and on, and on. We have asked some questions of "Do we have any authority to take from these federal funds?" and we were told, "Gee, we think so." And we suggested maybe someone ought to call some of the federal bureaucracy and see whether federal regulations allow us to dip back into these funds for purposes of making a transfer from these special federal funds, and other funds, to pay for past medical bills of State employees. Not an unreasonable question, I would think. We've learned in the past that the administration has not called the federal agencies often when they have suggested budget solutions that have been found to be illegal under federal law. With that kind of track record, it seems only logical that before we decide that our solution is to take from all of these funds - these hundred and seven funds - some money, we should know two things. One: How was the allocation made amongst these funds? A question we have asked and have been told, "Why, we don't know. In fact, some of them we haven't even figured out yet how much we really need." And two, when you get into the federal funds: Can we, in fact, take the money? And if somebody told you, who? So we can have on the record that we have been authorized to make these

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deductions, and not find ourselves June 30th having to pay all these back because under a federal law it was held to be illegal. I think these are the kind of questions that every Member of this General Assembly should want to know the answers to, before we take the type of action that we have been criticized for in the past - and that is acting without knowledge. I think it -- it is improper to throw this on the desk today, with no answers to questions, and expect us to react. I think it is better that they answer the questions that we have asked, in writing, and then allow us to make an intelligent decision for a change.

PRESIDENT ROCK:

Further discussion? Senator Maitland, you wish to close?

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Senator Carroll, it -- it's my understanding that you didn't just get this information. I think you had it - or at least your staff had it - as early as this morning. Now what you have before you, as you know and I know and others know who work in this process, this is a menu of -- of funds that can be utilized - or we can go and touch - for the group health policy of the employees within that fund. And I recognize - and that was one of my first questions - that there are some funds there that we probably won't be able to tap. We know, in all likelihood, that the whole twenty-four million dollars will not be able to be utilized. We -- we know that. But at least a portion of it will be there. So this is a menu of funds that can be utilized for this legitimate purpose. So to suggest that we ought to know today is simply not proper or just, because we did this last spring and we did it again in January. Keep in mind, Members of the Senate, we are dealing with State employees who are now on the hook for millions of dollars of their health care benefits that have been provided by hospitals and doctors across this State, and are now finding

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the service shut off. This is an emergency issue. If there are other questions that need to be asked, allow the amendment to go on, and -- and let's ask the question later on, as we pass the bill out of here -- or we move the bill out of here. I would once again, Senator Demuzio, Senator Carroll, and others, ask you to accept in a favorable way this reasonable request.

PRESIDENT ROCK:

Thank you. Senator Maitland has moved to suspend all appropriate rules and take House Bill 214 from the Order of 3rd Reading, return it to 2nd Reading for the purposes of an amendment. That motion will require thirty affirmative votes. Those in favor of the motion 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? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 20 Nays, and the motion fails. Is there further business to come before the Senate? Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Parliamentary inquiry. Why would it take thirty votes? Ordinarily, to -- to amend a bill, it would take less than thirty votes.

PRESIDENT ROCK:

That is correct. The motion, as submitted in writing by Senator Maitland, moved to suspend all the appropriate rules. And under Rule 30, suspension of the rules requires a majority of Senators elected - namely, thirty.

SENATOR GEO-KARIS:

Thank you.

PRESIDENT ROCK:

Further discussion? Further business to come before the Senate? Senator Philip and I have rescheduled the Rules Committee

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for ten o'clock tomorrow morning. Session will commence at 11:00. I think it's appropriate that probably we will be back -- or on our way back to our districts by noon. So if there is no further business, Senator Vadalabene moves that the Senate stand adjourned until eleven o'clock tomorrow morning. Eleven o'clock tomorrow morning, Ladies and Gentlemen. Have a good evening.

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