

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDENT ROCK:

The hour of 1:30 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 Pastor Rick Hohimer, Calvary Temple Church, Springfield, Illinois. Reverend.

THE REVEREND RICK HOHIMER:

(Prayer by the Reverend Rick Hohimer)

PRESIDENT ROCK:

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

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that reading and approval of the Journals of Monday, June 24th; Tuesday, June 25th; Wednesday, June 26th; Thursday, June 27th; Friday, June 28th; and Saturday, June 29th, in the year 1991, be postponed, pending arrival of the printed Journals.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. 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 concur with the Senate in the adoption of their amendments to a bill of the following title, to wit:

House Bill 406 with Senate Amendment No. 1.

I have like Messages on:

House Bill 1838 with Senate Amendment 1;

And House Bill 2352 with Senate Amendment 1.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

They were non-concurred in by the House June 29, 1991.

PRESIDENT ROCK:

Secretary's Desk.

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 No. 1, 2 and 3 to a bill of the following title, to wit:

Senate Bill 37.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference to consider the differences of the two Houses in regard to the amendments to the bill.

I have like Messages on:

Senate Bill 201 with House Amendment No. 1;

Senate Bill 299 with House Amendment 2;

Senate Bill 325 with House Amendment 1;

Senate Bill 484 with House Amendment 1;

Senate Bill 841 with House Amendment 1;

Senate Bill 930 with House Amendment 1;

Senate Bill 1073 with House Amendment 1;

Senate Bill 1227 with House Amendment 1;

And Senate Bill 1231 with House Amendment 1.

Action taken by the House, June 29, 1991.

PRESIDENT ROCK:

All right. Senator Demuzio will move that the Senate do accede to the request of the House with regard to the formation of those conference committees. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Messages from the House.

SECRETARY HAWKER:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

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

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to wit:

House Joint Resolution No. 2.

I have a like Message on:

House Joint Resolution 44.

They are both substantive.

PRESIDENT ROCK:

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

SENATOR VADALABENE:

Yes, thank you, Mr. President. Yesterday, I couldn't -- I don't remember what happened to the Cubs and the Cardinals, but today's game has started, and it's Cardinals 4, the Cubs nothing, first inning.

PRESIDENT ROCK:

Senator Maitland can tell you what happened yesterday. Senator Brookins, for what purpose do you arise?

SENATOR BROOKINS:

Mr. President, I just want to know - are we confused in this Chamber? This is Illinois and the Cubs is in Illinois, the Cardinals is in Missouri. Are we confused?

PRESIDENT ROCK:

All right. Ladies and Gentlemen, if I can have your attention. I just conferred with Senator Philip. We were prepared to move from the top of the Calendar forward on the Order of House Bills 3rd Reading. He has asked that that be deferred, and I agreed. So, with leave, we'll get back to that Order of Business. What we'd like to do is start on the Calendar. It is Sunday, June 30, and so we would like to start on the Calendar on

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

the Order of Secretary's Desk, Concurrence, and move through that Calendar and then Secretary's Desk, Non-concurrence, and move through that Calendar. And then we will get back to House Bills 3rd Reading. And in the meantime, I'm sure that the conferees are aware that conference committee meetings are going on all over the building. So we'll do the best we can.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay. Leave of the Body, Secretary's Desk, Concurrence - Senate Bill 155. Madam Secretary, read the bill.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 155.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that we concur with House Amendment No. 1 to Senate Bill 155. It's technical in nature. It's a change in terminology which changes a word from "judgment debtor" to "you." It's part of the package to let the consumer know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 155. 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 Senate does concur with House Amendment 1 to Senate Bill 155. And the bill, having received the required constitutional majority, is declared passed. Senate Bill 258, Madam Secretary, please.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill -- 182.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senate Bill 258.

SECRETARY HAWKER:

House Amendments 1 and 2 to Senate Bill 258.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you. I would move that we non-concur with these two House amendments to Senate Bill 258.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved that the -- to non-concur with House Amendments 1 and 2 to Senate Bill 258. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries. Secretary shall so inform the House. Senate Bill 301. Senator Rock. 301, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 301.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Move that we non-concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved that the -- moves to non-concur with House Amendments -- House Amendment 1 to Senate Bill 301. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries. Secretary shall so inform the House. 302. Senator Weaver. 302. Senator Weaver. 303. Senator Welch. Senator Welch on the Floor? 304. Senator Ralph Dunn. 305. Senator Carroll. On the Order of Secretary's Desk, Concurrence, middle of Page 11, is Senate Bill 305, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 305.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd move that the Senate non-concur with House Amendment No. 1 to Senate Bill 305, and ask that a committee on conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved to non-concur with House Amendment 1 to Senate Bill 305. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion carries. Secretary shall so inform the House. 306. Etheredge. 308. Senator Severns. Madam Secretary, Senate Bill 308.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 308.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I move that we not concur with House Amendment No. 1, that a conference committee be -- be named.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Severns has moved to non-concur with House Amendment 1 to Senate Bill 308. All those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. Senate Bill 310. Weaver. 311. Weaver. 334. Woodyard. Top of Page 12. 336. 337. 338. 339. Hawkinson. 344. Schaffer. 345. Turn to Page 13. Butler. 349. 350. Philip. 352. Etheredge. 353. Butler. 354. DeAngelis. 355. Etheredge. 356. Ralph Dunn. 57. 58. Senator Donahue. Well, we just as well turn to Page 14. Does anybody have a bill on that page they wish to have called? Senate Bill 409, Madam Secretary. Bottom of Page 14. Read the bill.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

SECRETARY HAWKER:

House Amendments 1, 2, 3, 4, 5, 6, 9 and 10 to Senate Bill 409.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. I hate to be lonely on that page, so I would, therefore, move that the Senate non-concur with House Amendments 1, 2, 3, 4, 5, 6, 9 and 10 to Senate Bill 409, and ask that a committee on conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves that the -- to non-concur with House Amendments 1, 2, 3, 4, 5, 6, 9 and 10 to Senate Bill 409. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Page 15. Senate 497. Luft. I'm sorry. Senate Bill 497. Senator Luft. Top of Page 15. 629. 837. Senator Rock. On the Order of Secretary's Desk, Concurrence, Page 15, is Senate Bill 837, Madam Secretary.

SECRETARY HAWKER:

House Amendments 1 and 6 to Senate Bill 837.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Move to non-concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved to non-concur with House Amendments 1 and 6 to Senate Bill 837. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. 843. None. Senate Bill 956. Senator Hall. Madam Secretary, read the bill.

SECRETARY HAWKER:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

House Amendment No. 1 to Senate Bill 956.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I move to non-concur on 956.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall moves -- moves to non-concur with House Amendment 1 to Senate Bill 956. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. Senate Bill 958, Madam Secretary, please.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 958.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I move to non-concur, and a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall moves to non-concur with House Amendment 1 to Senate Bill 959 <sic>. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. 973. Leave to come back to that one? Leave is granted. Senate Bill 989. Senator Joyce. I'm sorry. I skipped one. 959. Madam Secretary. Senate Bill 9-5-9, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 959.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

Senator Hall.

Thank you, Mr. President. I move to non-concur with 9-5-9, Amendment No. 1.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall moves to non-concur with House Amendment 1 to Senate Bill 959. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries. Secretary shall so inform the House. Senate Bill 989. Senator Joyce. 1337. Senator Collins. Senate Bill 1341. Senator Vadalabene. On the Order of -- bottom -- bottom of Page 15, Secretary's Desk, Concurrence, is Senate Bill 1341, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1341.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I move not -- to non-concur with House Amendment No. 1 to 1341.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene has moved to non-concur with House Amendment 1 to Senate Bill 1341. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. Page 16. 319. Senator Rock, you want to -- should we continue on Non-concurrences on Page 16? All right. Page 16 is Non-concurrence, is House Bill 319. With leave of the Body, we'll let Senator Rock handle that bill. House Bill 319, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 319.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I would move that the Senate refuse to recede from the adoption of Senate Amendment No. 1.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1, and that a conference committee be appointed. All those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 373, Madam Secretary, please.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 373.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I refuse to recede, and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Hall has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 373, and that a conference committee be appointed. Those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries. Secretary shall so inform the House. House Bill 376. Senator -- all right. Madam Secretary, House Bill 376.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 3-7-6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I thought Senate Amendment No. 1 was pretty good, so I will refuse to recede from Senate Amendment No. 1, and ask that a committee on conference be --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved that the Senate refuse to recede

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

from the adoption of Senate Amendment No. 1 to House Bill 376. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 378, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 378.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I refuse to recede, and ask that a conference committee be --

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 378, and that a conference committee be appointed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 384, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 384.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 384, and a committee on conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 384, and that a conference committee be appointed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 393,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Madam Secretary.

SECRETARY HAWKER:

Senate Amendments 1 and 2 to House Bill 393.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you. I would -- Mr. President, I would move that the Senate refuse to recede from its adoption of Senate Amendments 1 and 2, and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 393, and that a conference committee be appointed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 395, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 395.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would again move that the Senate refuse to recede from the adoption of Senate Amendment No. 1, and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 395, and that a conference committee be appointed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 505. Senator Carroll. Madam Secretary, 505.

SECRETARY HAWKER:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senate Amendments 1, 2, 3 and 4 to House Bill 505.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that the Senate refuse to recede from Senate Amendments 1, 2, 3 and 4, and ask that a committee on conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3 and 4 to House Bill 505, and that a conference committee be appointed. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 545. Senator Savickas. 545, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 5-4-5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, I -- I would move that the Senate refuse to accede to the House's demand, and a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 545, and that a conference committee be appointed. All those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 581. Senator Schaffer. 629. Topinka. 631. Etheredge. 633. Topinka. Page 17. Does any Member on that page have a bill that they wish to have called? Page 17? Page 18? Page 18? Bottom of Page 18 is House Bill 736. Madam Secretary, please.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 7-3-6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 736, and that a committee on conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 736, and that a conference committee be appointed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 737. House Bill 808. Senator Carroll, with leave of the Body, will handle that. House Bill 808, Madam Secretary.

SECRETARY HAWKER:

Senate Amendments 1 and 2 to House Bill 808.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Demuzio does not like us -- the House not to accept. So, therefore, we refuse to recede from Senate Amendments 1 and 2 to House Bill 808, and ask that a committee on conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 808, and that a conference committee be appointed. All those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

carries, and the Secretary shall so inform the House. House Bill 8-8-7, Madam Secretary. Senator Berman, 8-8-7. Madam Secretary.

SECRETARY HAWKER:

Senate Amendments 1, 2, 4, 6, 7 and 9 to House Bill 8-8-8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, 8-8-7. I think we skipped one.

SECRETARY HAWKER:

Excuse me. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Leave of the Body, we'll go back to the Order of House Bill 8-8-7, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 8-8-7.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we refuse to recede from Senate Amendment No. 1, and that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Berman has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 8-8-7, and that a conference committee be appointed. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 8-8-8, Madam Secretary.

SECRETARY HAWKER:

Senate Amendments 1, 2, 4, 6, 7 and 9 to House Bill 8-8-8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would move that the Senate refuse

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

to recede from its adoption of Senate Amendments 1, 2, 4, 6, 7 and 9, and request a conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 4, 6, 7 and 9 to House Bill 8-8-8, and that a conference committee be appointed. All those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 1-0-4-8. Senator Alexander. 1-0-4-8, Madam Secretary.

SECRETARY HAWKER:

Senate Amendments 1 and 3 to House Bill 1-0-4-8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander.

SENATOR ALEXANDER:

Mr. President, I am requesting that the Senate refuse to recede from House Bill 1048, and that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Alexander has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 1048, and that a conference committee be appointed. All those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 1101, Madam Secretary. Read the bill.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 1101.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you -- thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendment No. 1 on House Bill 1101,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

and ask that a committee of conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1101, and that a conference committee be appointed. All those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Amendment -- the motion carries, and the Secretary shall so inform the House. House Bill 1223. Senator Davidson. Madam Secretary -- nope. House Bill 1155. Senator Carroll. Madam Secretary, House Bill 1-1-5-5.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 1155.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Speaker to the contrary notwithstanding, I move we refuse to recede from Senate Amendment No. 1 to House Bill 1155, and that a committee on conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1155, and that the conference committee be appointed. All those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. House Bill 1296. Senator Rigney. Madam Secretary, House Bill 1-2-9-6.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 1-2-9-6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Mr. President, for a little change of pace, we're going to move, in this particular case, to recede from this amendment. This was the amendment affecting the Rockford Airport, and I sense that I'm not going to be able to pass that amendment, so I'm going to move to recede on the amendment to 1296.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? All right. This will be final action, Senator. The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 1296. 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 58, the Nays are none, none voting Present. The Senate recedes from Senate Amendment No. 1 to House Bill 1155 <sic>. And the bill, having received the required constitutional majority, is declared passed. House Bill 1431, Madam Secretary, please.

SECRETARY HAWKER:

Senate Amendments 1 and 2 to House Bill 1431.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I move that we refuse to recede from Senate Amendments No. 1 and No. 2, and ask that a committee of conference be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hawkinson has moved that the Senate refuse to recede from the adoption of Senate Amendments 1 and 2 to House Bill 1431, and that a conference committee be appointed. All those in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries. Secretary shall so inform the House. House Bill 1911. Senator Luft. Luft on the Floor? House Bill 2147. Senator Joyce. All right. Senator Joyce wishes -- Page 19 is House Bill

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

2147, Madam Secretary, please. 2147. Take it out of the record. All right. House Bill 2147. Madam Secretary, read the bill.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 2147.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

Thank you, Mr. President, Members of the Body. I move to non-concur with House Amendment No. 1 to -- to House Bill 2147, and ask that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved that the Senate not -- refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2147, and that a committee of conference be appointed. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. We're going to proceed through the rest of the Calendar. There are Members that have expressed some indication of wanting to go back to other bills. We will do that later on. All right. Page 21. Leave of the Body, Consideration Postponed, Concurrences, Senate Bill 1345, Madam Secretary. Consideration Postponed, Concurrence.

SECRETARY HAWKER:

Senate Bill 1345.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I would move to non-concur with House Amendments No. 1 and 2 to Senate Bill 1345.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

All right. Senator Cullerton has -- Senator Cullerton, repeat that again. I was listening --

SENATOR CULLERTON:

The motion is, I would move to non-concur with House Amendments No. 1 and 2 to Senate Bill 1345.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Cullerton has moved to non-concur with House Amendments 1 and 2 to Senate Bill 1345. All those in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. All right. With leave of the Body, on Page 21, we'll go to the Motions in Writing. With leave of the -- leave of the Body, we will go to Senate Bill 216. That motion, Madam Secretary.

SECRETARY HAWKER:

I move to reconsider the vote by which the Senate non-concurred in House Amendment No. 1 to Senate Bill 216.

Filed by Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Mr. President, with leave of the Body, I would have my name removed as a sponsor and have Senator Raica replaced in that instead.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there leave to have Senator Raica substituted for Senator Savickas as the sponsor of Senate Bill 216? Leave is granted. Senator Savickas has moved -- all right. With leave of the Body -- Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Having voted on the prevailing side of Senate Bill 216, I wish to reconsider the vote by which Senate Bill 216 failed.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there a discussion? Senator Watson. Is there a discussion on this motion?

SENATOR WATSON:

Nope.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Your light is on.

SENATOR WATSON:

Well, thank you. I appreciate your bringing that up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Raica has moved to reconsider the vote by which the Senate non-concurred with House Amendment 1 to Senate Bill 216. All 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 41, the Nays are 6, none voting Present. Motion is adopted, and the -- Senate Bill 216 is -- and the Motion to reconcur <sic> -- is reconsidered. Senator Raica, Senate Bill 216, with that Order of Business. ---Madam Secretary, Senate Bill 216.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 216.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Yes, Mr. President. I just move to confer with House Amendment No. 1 to Senate Bill 216.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You mean confer or concur?

SENATOR RAICA:

Concur, I'm sorry. It's early. We just got back from the beach.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? All right. The question is -- all right. Senator Berman.

SENATOR BERMAN:

Would the sponsor explain what we're doing?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

I wish I knew. I got it about three minutes ago. So, if you want, we can -- I think this amendment, if I'm not mistaken, just adds an effective date. Senator Savickas can correct me if I'm wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, this is final action. If not, the Senate -- the question is, shall the Senate concur in House Amendment 1 to Senate Bill 216. 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 24, the Nays are 18, 4 voting Present. The Concurrence Motion fails. And the Secretary shall so inform the House. All right. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Thank you, Mr. President. I'd like to go back, if I could, to Senate Bill 364 and 365. Inadvertently, I was off the Floor - as we are the last few hours of a Session - dealing with whomever. I was off the Floor. I'd like to get this matter taken care of.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson is requesting leave to go back to Page 13 for Senate Bill 364 and for Senate Bill 365. Is leave granted? Did you vote for your own motion? Leave is granted. On the Order of Page 13, Secretary's Desk, Concurrence, is Senate Bill 364, Madam

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Secretary. Read the bill.

SECRETARY HAWKER:

House Amendments 1, 2, 4, 5, 6, 7, 8, 9, 10 and 11 to Senate Bill 364.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I think I was the only one voting for my motion. This is the DOT appropriation bill, Senate Bill 364. As it left the Senate, it was two billion four hundred and sixty-one thousand -- two billion four hundred and sixty-one million eighty-nine thousand four hundred and eighty dollars. The amendments that were offered in the House reduced the appropriation from the original amount, and now we have two billion four hundred and sixty-two thousand -- it's a lot of money. Two billion four hundred and sixty-two million two hundred and twelve thousand four hundred and eighty. I'll be glad to explain the House amendments, if you so wish; otherwise, I would concur with House action and ask for favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there a discussion? Senator Rock.

SENATOR ROCK:

Question of the sponsor. Why -- why is the Governor so concerned about the Department of Transportation billion-dollar boondoggle budget and obviously is not concerned, it appears, about the Department of Public Aid, or the Department of Agriculture, or the Department of Mental Health, or the Department of Children and Family Services, and all the other budgets that he is sitting upon over there? What's the urgency for this one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Well, I don't know that there is any urgency, Senator. I was just off the Floor when we called it earlier. I'd like to see the matter progress and get to the Governor's Office. The Governor hasn't talked to me about this. We're only talking about seventeen million out of the GRF. The rest of it is all Road Fund money. I don't know what the problem is here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Well, Mr. President, Ladies and Gentlemen of the Senate, I would suggest that -- that we do not support Senator Watson's Motion to Concur, and, in fact, non-concur. I think this is clearly one of those pieces of legislation that is not in proper shape to get to the Governor's desk. Some of the House action is technically incorrect. Some of it, I believe, undoes things that both the Governor has supported and that the Senate has supported. And I think clearly this is one of those types of legislation that Members would want to see in conference, and would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Welch.

SENATOR WELCH:

Yes, thank you. I'd just like to point out to that side that these negotiations that we've been having on the budget touched upon this budget, and the agreement yesterday at the table, with two Republican Senators, was we wouldn't address that until today. Well, we haven't met yet. This seems to me to be not acting in good faith with these negotiations. All of the budgets that we're acting on, as we agreed in our negotiations, hinge upon each other. Now, Senator Watson, what you're trying to do is take this one out, obviously for - well, not so obviously - for some particular reason. I think I have an idea of what the reason is. But nonetheless, each budget hinges upon each other. We have been

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

waiting to determine how much revenue we have before we start working on these larger budgets. Now, it seems to me that this was part of an agreement between the Democrats and Republicans. Now, if you want to start unraveling these agreements on June 30th at 2:25 in the afternoon, we are going to be here a very long time. And I would suggest that you take this out of the record at this point, so that the budget process can - at least something around here can - continue on in a normal fashion, and maybe the budget process is the only thing we have continuing in a normal fashion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Leverenz.

SENATOR LEVERENZ:

The sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Leverenz.

SENATOR LEVERENZ:

If we agree with your motion, this goes to the Governor - is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, that's correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

And can you tell me where any of the other budgets are, or do you think that the Public Aid budget may go, or DCFS budget may go to the Governor today so that those would be catching up or get there at the same time as this budget?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

SENATOR WATSON:

Well, I'm not the sponsor of -- of those budgets. I'm -- I'm the sponsor of the Department of Transportation's budget and their reallocation. I don't really honestly know what the program is for those other budgets you mentioned. I want to see this budget passed and go to the Governor. I -- I think it's in good shape.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

I admire your brilliance occasionally, but you did not answer my question. Do you have any idea if the other budgets will all go together to take care of poor people, homeless people, at the same time that this one will?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, I haven't been in those meetings, and I quite honestly can't tell you what the program is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Leverenz.

SENATOR LEVERENZ:

Mr. President, then I would implore upon the Gentleman that he would give strong consideration to the following. As this gets to the Governor, he can sign it; and as of the first day of the new fiscal year, you can write a check to a road builder, but a poor person can't pay an electric bill, will not be able to eat, will not be able to exist, based upon exactly what the Gentleman is doing now. I think you should perhaps even be ashamed of yourself and take this motion out of the record until we can get the other budgets and take care of the funding source and take care of the things that are important to the people and the taxpayers in the State, rather than be able to write a check to a contractor -

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

because you can't eat a road.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I was a little bit committed to vote for -- for both 364 and 365, because I do think that it's a altogether separate item, but, in fact, Senator Welch has indicated that there was supposed to be an agreement. And, Senator Welch - Senator Welch - if that is true that there was to be an agreement worked out between the two of you today, I'm prepared to -- to, if you might say, renege on my agreement at this time. I still think that there is a tremendous difference between road funds and the General Fund, and I want to make that commitment now. But I think if there had been an agreement, that I would like to just say that I will join this side of the aisle in saying No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. As a member of the -- Budget Conference Committee, we sat down there yesterday, and I don't think it's a secret to anyone that there has been agreement on both sides of the aisle on the Donated Funds Initiative. We've not even moved the Donated Funds Initiative where both sides of the aisle and the Governor agrees that no disagreement continues to exist. And yet, on this bill, the Department of Transportation even opposes many parts -- many amendments contained within this bill. What are we doing this for? I think the -- the points -- the best judgment, as it relates to the people of Illinois, have already been made, but -- but from a technical point of view, DOT opposes many parts of this bill. And to keep in agreement what -- what we've discussed and

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

have agreed to at the budget table, frankly with -- with not total sense of concurrence, is that -- that these bills ought not move yet. And I think -- I think a No vote on this motion is the best way to go.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch, for a second time.

SENATOR WELCH:

Thank you. You know, this discussion goes beyond this budget. What this goes to is the fact that we have several representatives from the Senate meeting downstairs in the Governor's anteroom discussing the budget, and we come back here and tell them what's going on. Well, we came back here and told them that there's an agreement to hold off on this budget. And I'd like to ask Senator Etheredge or Senator Maitland exactly what their understanding of the agreement is. As Senator Severns said yesterday, we agreed on the DFI budget, but we are going to hold off on it. We could pass that one just as easy; but because it was one of the major budgets, like Transportation, we agreed not to move it. So I'd like to have a response from Senator Maitland or Senator Etheredge on the record, so let's see where we are today. I thought we knew where we were yesterday when we worked on many of the smaller budgets. We held off on the larger budgets, such as this one, till today. Now, I don't know if Senator Watson has talked to Senator Maitland and Etheredge - I certainly hope that he would - but I would like to hear from either Senator Etheredge or Senator Maitland as to what their understanding of the agreement is, because this is going to affect everything that happens from here on out. So, please, Gentlemen, one of you, if you'd please take the microphone and explain to us exactly what your understanding is on these major budgets, because there are some other budgets that some Members on this side would probably like to pass without further cuts, as well.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Watson may close.

SENATOR WATSON:

Thank you. Well, it's unfortunate that this has got caught up in the obvious political negotiations that are going on, which really has absolutely nothing to do with the Department of Transportation and their budget. The vast majority of their money comes from Road Fund dollars, which are paid for by the taxpayers at the pump, who deserve adequate road construction and maintenance. That's basically what this is all about. You talk about the General Revenue Fund and the concern you have for that; this budget, as it passed the House, is actually less money out of the General Revenue Fund than what -- than the Governor asked for. So we're taking steps in the right direction to try to conserve money in General Revenue Fund so that we have -- money for programs that you're concerned about. I -- I think that the proper vote is Yes, and I ask for concurrence, and ask for obvious roll call and of a Yes vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendments 1, 2, 4, 5, 6, 7, 8, 9, 10 and 11 to Senate Bill 364. 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 29, the Nays are 20, 2 voting Present. The motion fails, and the Secretary shall so inform the House. Senator Watson, do you wish to proceed with the next bill? Senator Watson. Senate Bill 365, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 365.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Yes, I'd like to have Postponed Consideration for Senate Bill 364.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson has requested Senate -- Postponed Consideration on 364. That is in order. Postponed Consideration. Senate Bill 365, Senator Watson. Same -- Senator Watson. I mean -- tell me -- could you tell me what you intend to do? That's all I...

SENATOR WATSON:

I'd like to -- yeah, I would like to have my microphone on. Thank you. And I would like to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

We haven't read the bill yet.

SENATOR WATSON:

Concur with...

PRESIDING OFFICER: (SENATOR DEMUZIO)

We haven't read the bill yet. I just wanted to know whether or not you wanted it called. I'm sorry. Senate Bill 365, Madam Secretary. Read the bill, please.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 365.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Thank you. Yes, I'd like to concur with House Amendment No. 1 to Senate Bill 365. This is the reappropriation for the Department of Transportation. As it passed the Senate, it was two billion five hundred and seventeen million ninety-three thousand four hundred dollars. As it passed the House, and in the current situation - current shape - it's two billion three hundred and thirty-three thousand seven hundred -- two billion three hundred and thirty-three million seven hundred and ninety-nine thousand

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

three hundred and eighty dollars. I ask for concurrence and a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this motion for a couple reasons. I recognize it's important to pay the contractors. They have been doing the road work. I think it's equally important to pay the hospitals who have been taking care of people, to pay the nursing homes who have been taking care of people, to pay the pharmacists who have been taking care of people, to assure those who are unfortunately in need of some form of public assistance, that their checks will go out. The Governor has said, on several occasions, that he will not deal with - and does not want us to deal with - a piecemeal approach; that he, in fact, vetoed the Public Aid money so those people wouldn't starve in July. He vetoed it anyway, saying piecemeal was wrong. Some people seem more concerned with road contractors than with hospitals, pharmacies, nursing homes, people on Public Aid, and I think that's wrong. In addition to this, I remind those Members who had projects in the supplemental appropriation, namely the Senate Republican Caucus, those projects are now dead if this bill passes, because one amendment missing in this bill is the reappropriation for those projects. If you don't want them, vote Yes. They were your projects. But I suggest we vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. Senator Carroll, would you mind answering a question for me? I'm a little confused on this whole thing. I thought we're talking about apples and oranges. When

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

the -- when the Governor said he didn't want a piecemeal budget, my understanding was what he was talking about was the General Revenue funds, which is an entirely different bank account, if you will, than from the Road funds. The Road funds, I was told a long time ago, are dedicated funds that come from the gas tax and can only be used, according to our Statutes, for nine different things. When I was down in East St. Louis, in fact, East St. Louis got into a great deal of trouble because they attempted to use it for other things. We have told people, according to our Statutes, that we can use it for roads, we can use it for curbs, we can use it for street lights and for stoplights and other such things, but we cannot - we cannot - use it for hospitals. We cannot use it for Public Aid. Now, you know, am I wrong, or are you talking about possibly borrowing money from this Road Fund in the future?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Senator Fawell, though I am not the sponsor, I am pleased to answer your question. I have not talked about borrowing money from this Fund. There's twenty-five million dollars of General Revenue funds in here. There are fifteen funds involved, not just the sacred Road Fund. Contractors are contractors are contractors, wherever they happen to do business with the State of Illinois. But there is twenty-five million dollars of General Revenue funds - yes, those funds - that will keep hospitals open, keep nursing homes in business, allow pharmacies to do business and keep people from starving - that's the General Revenue Fund. Twenty-five million of that is in this reappropriation bill, and fifteen other funds are in here as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Watson may

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

close.

SENATOR WATSON:

Well, thank you. To correct Senator Carroll, it's actually twenty-two million -- rough -- twenty-two million five hundred thousand, instead of twenty-five million. So it's not quite as great a what he thought in the impact that we have on GRF. The sad part about this is the re-allocation. This is money that's already allocated for various road projects throughout the State, many of whom I'm sure are probably in your districts. We're talking about out of here - the Road Fund money - Road Fund dollars that's in here - two billion three hundred and eleven million dollars. Those are dollars that those people out there driving the roads of Illinois have paid. They deserve to have those roads maintained and constructed. We're not -- this has no impact on Public Aid or nursing homes or hospitals. This has an impact on the people who are paying the taxes at the pump, and that the obvious right vote on this is a Yes vote, and I'd appreciate it, and ask for a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate concur with House Amendment 1 to Senate Bill 365. 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 30, the Nays are 20, 3 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 365. And the bill, having received the required constitutional majority, is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Request a verification of the affirmative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock has requested a verification of the Members who

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

voted in the affirmative. Madam Secretary, please read the names of those Members who voted in the affirmative.

SECRETARY HAWKER:

The following Members voted in the affirmative: Barkhausen, Butler, Davidson, DeAngelis, Donahue, Dudycz, Ralph Dunn, Etheredge, Fawell, Friedland, Geo-Karis, Hawkinson, Hudson, Karpier, Keats, Macdonald, Madigan, Mahar, Maitland, O'Daniel, Philip, Raica, Rea, Rigney, Schaffer, Schuneman, Topinka, Watson, Weaver and Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, do you question the presence of any Member voting in the affirmative?

SENATOR ROCK:

Senator DeAngelis on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis on the Floor? Senator DeAngelis on the Floor? He's in his seat. All right. On the verified roll...

SENATOR ROCK:

Senator -- Senator Topinka on the Floor?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Topinka is in the back of the Republican side of the Chamber. All right. On the verified roll call, there are 30 Ayes, 20 Nays, 3 voting Present. The Senate does concur with House Amendment 1 to Senate Bill 365. And the bill, having received the required constitutional majority, is declared passed. I'm sorry. Senator Watson, for what purpose do you arise?

SENATOR WATSON:

Yes, thank you. Previously, consideration was given to a Member to go back to Postponed Consideration for consideration of a -- of a legislation that failed, and I would like to have that same consideration to go back to that Order of Business on Senate Bill 364.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson, we will get that in good time. We are not on that Order of Business. We will get back to it. Senator Rock.

SENATOR ROCK:

I would like now to revert back to the Order of House Bills 3rd Reading.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bills 3rd Reading. House Bills 3rd Reading. Page 7. I'm sorry. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

-- President, there will be a Republican Caucus in Senator Philip's Office immediately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis, one hour?

SENATOR GEO-KARIS:

Maybe an hour and a half.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. I -- about an hour? Okay.

SENATOR GEO-KARIS:

At least an hour.

PRESIDING OFFICER: (SENATOR DEMUZIO)

So the Senate will recess until the hour of three -- four o'clock.

(RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The hour of -- past 4:00 has come. The Senate will come to order. Ginny Lee has requested permission to

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

photograph the Senate proceedings for Illinois Times. Is leave granted? Leave is granted. Page 7. House Bills 3rd Reading is House Bill 1354, Madam Secretary.

SECRETARY HAWKER:

House Bill 1354.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1354, as amended by this Senate, is our response to the responsibility vested in us by Article IV, Section 3 of the Illinois Constitution, where it says in subsection (b): "In the year following each Federal decennial census, the General Assembly by law shall redistrict the Legislative Districts and the Representative Districts." It further says that "Legislative Districts shall be compact, contiguous, and substantially equal in population," and "Representative Districts shall be compact, contiguous, and substantially equal in population." Mr. President and Ladies and Gentlemen of the Senate, I submit to you that House Bill 1354, as it stands before you now, meets every single one of that Illinois Constitution's tests, and further, I would like to state that it is, above all, fair. I happened to have had a lengthy conversation with the Governor, and his concern - his main concern - was that any map presented to him would be fair. I suggest to all who have taken the time to look at the configuration, and the amendment as offered, will certainly agree that it is fair. The maximum deviation in terms of population is less than a half of one percent in virtually every one of the fifty-nine Senate districts and a hundred and eighteen House districts. In addition, I think it's fair to say that, having

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

been here as I was ten years ago, and as a matter of fact, having been here as I was twenty years ago, this particular redistricting and reapportionment was -- was particularly acute and sensitive and most difficult. We have seen in the past ten years substantial changes in the population in some districts. We have districts that were forty and fifty thousand people away from the mean that was required, and so there was a population shift that everybody, I think, in this Chamber recognizes. We were also confronted, I might add, with the very real probability of an undercount. And I think it's fair to say that even the United States Census Bureau will admit, in their weaker moment, that it is not possible in a large urban area to have a truly accurate count, and that lawsuit is, as a matter of fact, still going on. In addition to that, we as -- as the elected Members, under federal law, have an affirmative obligation to establish districts that will afford African-Americans and Hispanic minorities an opportunity to elect candidates of their choice. And in the case of the Hispanic community, we were able, under House Bill 1354, to strengthen the Hispanic Senate District on the Northwest Side of the City, so it now becomes a super-majority minority seat, by defining and connecting it to a new super-majority Hispanic House seat. And on the Southwest Side of the City of Chicago, we established a Senate seat - super-majority - that combined a House seat, so that we now can elect an Hispanic with a new super-majority House seat, and they can also elect a Hispanic House Member. In the case of the African-American community, we were able to form a new sixty-five percent black Senate District on the West Side of the City of Chicago, by significantly re-drawing the district in which Senator John D'Arco now resides. And in addition, we were able to maintain five super-majority black South Side Senate seats and nine super-majority black House seats in Chicago, even in the face of a population loss of a

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

hundred and thirty thousand from the districts of those five incumbent black Senators. And in the light of the emergence of a growing black population in the south suburbs, we were able to establish a new super-majority African-American House district that, under the Voting Rights Act, will enable the African-American community to elect a candidate of its choice to that House seat. We were able to establish a super-majority black House seat in St. Clair County and improve the minority voting strength that elect Senator Ken Hall and Representative Jesse White. And finally, in Senate Amendment No. 1 yesterday, we established a new majority African-American district on Chicago's Southeast Side and have strengthened a minority-influenced Senate district in the southern suburbs. In short, I think it's fair to say there has been no retrogression with respect to existing minority districts, and indeed, a significant improvement in the political and voting opportunities for Hispanics and African-Americans throughout the State of Illinois. And I can tell you, having been here as I have been here for twenty years and suffered through and under two of these reapportionments, that we have made the best effort - that I have ever seen - to be politically fair. In particular, we've not sought to gain any special advantage over the other side of the aisle. In all instances we have been guided first by the Constitution of the United States, the Constitution of the State of Illinois, and by the Federal Voting Rights Act. And we've had to face that very real reality of population migrations and the changing demographics of communities throughout this State. And our task has been made more difficult by the chronicled undercount of the African-American and Hispanic communities and of the economically poor, but we believe truly that we have succeeded in achieving a fair and equitable map. It does not - this map, as embodied in House Bill 1354 - does not represent an attempt to unfairly

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

redistrict the Republican Party. To the extent possible, we attempted to keep sitting Republicans in Senate -- separate Senate districts, and in the few cases that they were combined, those combinations generally were a consequence of population movement, or growth, or both. My judgment is that in all instances the districts presented under House Bill 1354 meet the test of contiguity, and in all instances, the districts are compact to the extent that they remain consistent with the Voting Rights Act and the requirements of the Federal and State Constitutions. And above all - and I would reiterate - House Bill 1354 is a fair reapportionment by virtually anybody's numbers. And I was questioned as to what numbers - political numbers - we had plugged in, and that's truly a judgment call. I'm sure you're probably using different numbers than we are, or different standards. But the fact is the partisan split would have it that there are twenty-one relatively safe Democratic seats, twenty-seven relatively safe -- safe Republican seats, and eleven swing districts. That's fair under anybody's definition. And I would urge an Aye vote for House Bill 1354, so that we can discharge our constitutional responsibility.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Alexander.

SENATOR ALEXANDER:

Mr. President and Ladies and Gentlemen of the Senate, I rise to speak in support of Senate -- House Bill 1354, as amended. First, I wish to express my appreciation to you, Mr. President, for your confidence in affording me the privilege of serving as the Chair of the Election Committee and Reapportionment Committee. Secondly, I extend and wish to thank my colleagues from both sides of the Chamber who served on that Committee with me in the discharge of our responsibility to provide a forum for the accessibility and input of members of the public into this

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

critical decennial process, thereby providing all citizens of the State of Illinois the full and equal opportunity to participate in this State's electoral process. Legislators, as representatives of the people, can have no higher mission. The Senate Election and Reapportionment Committee strived to receive maximum input into the redistricting process. This was accomplished by Statewide news released, and by holding two public hearings - one in Chicago and one in Springfield - during the month of May. Testimony was received from various community representatives, including elected officials and spokespersons from the Hispanic community and from two Afro-American community leaders, as well as other interested constituents and individuals. Also, we established a responsible and open public-access mechanism in the C Wing of the Stratton Building, to provide groups and individuals the opportunity to develop computer-generated redistricting map. The public-accessed computer terminals was publicly announced throughout the State and made available to members of the public on daily basis from the hours of 8:00 a.m. until 8:00 p.m., under written and published guidelines with the full-time aid and technical assistance of trained and competent staff. Finally, as a result of these public hearings and public-accessibility terminals, numerous redistricting concepts and plans were submitted to us. Whether developed with the aid of public-accessed equipment or not, they all were reviewed by our staff and considered, prior to and during the preparation of the map, which now constitutes House Bill 1354. Given these efforts, I am confident that the constraints composed and imposed upon the drawing of the Illinois Legislative Map and the public concerns have been more than adequately addressed by House Bill 1354. Mr. President, Ladies and Gentlemen, our product, House Bill 1354, gives genuine meaning in Illinois to the United States Supreme Court's announced constitutional standards - one person/one vote.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

It brings to life and gives all full expressions to the mandate of the Fifteenth Amendment to the Constitution of the United States, which provides that the right of citizens to vote shall not be denied or abridged by the United States or any State. No Legislature had, and has, a higher mission than to assure equal participation in the electoral process of all of its citizens. The undertaking of these two Chambers, as reflected in House Bill 1354, renders me proud to urge all of my colleagues on both sides of the aisle to give a strong Yes vote to this expression of -- and participating governmental procedure. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDYCYZ:

I don't have my light on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Beg your pardon?

SENATOR DUDYCYZ:

I'll come back to you, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz, your light is on and you're recognized.

SENATOR DUDYCYZ:

Mr. President, my light was not on, and I'll get back to you on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well -- further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Yesterday when a number of questions were asked of the President -- I think that he addressed the response today as far as on a very important subject of a community of interest. The community of interest that we may be respected after the legal and constitutional requirements have been addressed as fairly as

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

possible, are many and varied. For some, it may be a historical national origin - nations that have not existed in Europe for the past fifty years, or thrive in the hearts and the minds of our constituents in many communities throughout Illinois - not just Chicago, Cicero, Skokie, but throughout this great State. For others, and for good reason, it may be the school districts that transcends village lines and is the focus of the community in their minds. It can mean a neighborhood, a community. And in turn, that term can range from church -- churches that we attend; factories or companies that we work - or used to work; and to the real estate values of our respective neighborhoods. But the fact is community means a variety of things to each of us - at different times and often at the same time. In a State that - we are told - that has more separate governmental units than any other state, it is obvious that the sense of community is ingrained, yet difficult to define with specificity and exactitude. For every border that we may be violating one of these districts, another can be fined; that way it is respected. Ward lines and other electoral districts' lines, not only Chicago, will, indeed, change, just as these Legislative District lines must change. Yet as legislators, we consider these existing lines in this work. The point is that one person/one vote and the application of the provisions of the Voting Rights Act simply must prevail. Because these parts of Illinois most affected by these laws are represented by Democrats, we as Democrats who are sensitive to the community of interest of the constituents, that this map is not only responsive to the law, but wherever possible, goes further to respect school districts, parishes and neighborhoods. The legislators who live in and represent those areas where the laws are focused and the communities of interest are most elaborate and varied, have made sure of this. That's why I think it's very important that all of us take a look at House

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Bill 1354 and, yes, take in consideration the community of interest; and yes, respect the people who reside in those community of interests. And whether it be in the church boundary lines, the community as far as the -- the factories, or the companies that we work in, or the school districts, it's important that all of us take a look at this map and vote on it accordingly. As Democrats, as Republicans, the most important thing that we have is one vote. The rule on the application of the provisions of the Voting Rights Act simply must prevail. For that reason, I believe you should support House Bill 1354 on this amended version. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. House Bill 1354 is the product of a struggle spanning two decades for the political enfranchisement of the Hispanic community in Illinois. With the enactment of this bill, Hispanics will have the opportunity to elect candidates of their choice in four House districts and two Senate districts. In addition, we have seen the restoration of Hispanic neighborhoods into single House districts in such areas as Joliet, the western suburbs, and Aurora, and on the Southeast Side of Chicago, enabling Hispanics to exercise strong political influence in the election of State Representatives. The fact that we have this bill with these districts before the Senate is testimony to the hard work and dedication to the cause of fair representation by organizations such -- such as MALDEF and the Latino Institute and the Illinois Latino Committee for Fair Redistricting. I personally wish to recognize these organizations for their effort and thank them for the countless hours of work that their staffs and volunteers have given to this matter. And with House Bill 1354, unlike with our congressional map - and certainly we have

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

shown that with our congressional map, when we have the two conflicting goals, one, protecting incumbents, and two, creating a map that is fair and reflective of the changing demographics - when you have those two conflicting goals, then you're not going to come up with a product. We have demonstrated that with our inability to bring to the Floor a map with Congressional Districts. But here we have 1354. 1354 is also a testimony to the cooperation and technical assistance that the Senate President and the Chairman of the Elections Committee have afforded representatives of these organizations I mentioned, in the preparation of district proposals. Once again, I wish to recognize them for their efforts and success in drawing a map that is sensitive to the legitimate aspirations of the Hispanic community and that follows the United States Constitution, the Constitution of Illinois and the Federal Voting Rights Act of 1965, as amended. Ten years ago I was a plaintiff in a Federal Court, suing the State of Illinois because the Redistricting Commission failed to recognize the presence of the Hispanic majority on the Northwest Side of Chicago. In 1991, an Hispanic is a Member of the Illinois Senate and two are Members of the House, because we succeeded in our suit. Today I am proud to say that the legislative process has succeeded. 1354 is a fair map, and I urge all my colleagues who are interested in the principle of fair representation to join with me in supporting this map.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I have a few questions - or, maybe more than a few - for Senator Rock. Will he yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Dudycz.

SENATOR DUDYCZ:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senator Rock, you indicated yesterday that the amendment you proposed was in part to reflect the population movement. Could you please specify the population shift to which you are referring to and how it -- it's self-reflected in that amendment?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think it's fair to say that the amendment that was offered yesterday - if you take a look at it - House Districts 35, 36 and 25 were literally re-configured from two packed super-majority black districts and one minority African-American district, to two super-majority black districts and one majority black district. And in addition, we were able to accomplish this without putting any two incumbent African-American House Members or Senators into the same House or Senate districts. And we were also able, by virtue of this configuration as embodied in House Bill 1354, to keep intact the oldest Hispanic community in the City of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Well, thank you, Mr. President. But how about the population movement? Yesterday, specifically, you -- you indicated that the amendment you -- that you proposed was in part to reflect the population movement. I'd like for you to address that part of the change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I think it's fair to say that virtually every Senate district from Senator Smith south suffered a loss of population, and so that had to be accommodated. Literally every district had to move

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

its present lines.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCH:

You also indicated, Senator, that an additional reason for the amendment you proposed yesterday was to make the district -- or was to make the map even more compact. Please explain what the proposal increased the compactness of Speaker Madigan's original proposal. How did it make Speaker Madigan's compact map more compact?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I think if you -- if you look at, for instance, District 40 and District 39, you will recall that our effort was aimed at the creation of a new super-majority black district in the southern suburbs, and that was our goal. And as I said in my opening remarks - and I thought I said yesterday - where indeed the map looks something less than compact, in my judgment that happens only when we are trying to maximize minority participation. And so I think the configuration that -- that came over from the House, was a -- was a valid attempt and did satisfy that goal, except, I'm happy to report, that the Senate adopted an amendment that better accomplishes that goal.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCH:

Well, Senator, do you have any compactness calculations to support -- any data to support that contention?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Well, I'm -- I'm not sure I understand the question, and I'm not sure that compactness is subject to mathematical calculation. If you'll explain to me your formula, I'll see if it fits.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCH:

Well, something...(machine cutoff)...something caused you, Senator, to make that district -- more compact. What calculations -- what do you have in print or in writing to reflect that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, again, and I will repeat what I said - we took the existing House map, as it was passed by the House, and frankly, as most entrepreneurs or politicians do, we felt we had a better way of accomplishing the same purpose. And so we re-configured - literally re-configured - three House districts and one minority African-American district into two super-majority black districts and one majority black district. It was a matter of -- of moving the lines and the people to achieve a desired result - that result being the absolute emplacement of a -- of a super-majority black district in the south suburbs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCH:

Well, yesterday, Senator, you indicated that in determining the political makeup of the districts afforded by your -- or affected by your amendments, consideration was given to 1988, as well as 1990, University of Illinois Trustee races. Do you know whether the 1988 and the 1990 University of Illinois Trustee races were analyzed for the purposes of determining the political makeup of the remainder of the map, exclusive of the amendment?

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I -- I think I already indicated, and I'm aware that you are using a different benchmark and that's your political judgment as opposed to mine. I happen to think mine is pretty good. But using, yes, using the '88 U of I Trustee elections as a benchmark - as a gauge, if you will - of partisan strength in one district versus another, I suggest to you, as I did again in my opening statement, that this is an eminently fair map, because it -- under that benchmark - against that benchmark - next to that benchmark - it would appear that there are twenty-one districts that could be called - are called, by me, at least - Democratic, there are twenty-seven that are called - could be called - Republican, given the percentage vote, and there are eleven that are swing districts. I think that's eminently fair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Senator, yesterday when we were debating the amendment, you specifically said, "The fact is" - and I am quoting - "The fact is we used 1988 and 1990." I -- and I -- I believe you. I'm just asking whether you used those years for the rest of the map other than -- exclusive -- other than the amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

The answer is, yes, I did.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

END OF TAPE

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

TAPE 2

SENATOR DUDYCZ:

Well, yesterday -- or when the House debated it, Speaker Madigan was unsure of the exact methodology that was utilized. Have you had an opportunity to check with Speaker Madigan and determine the exact methodology that was utilized?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I can say to you that the Speaker and I are in constant contact some of the time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

I understand, Senator Rock. But Speaker Madigan, in his impact statement, indicated that only the 1988 University of Illinois Trustee results were considered. I would like for you to please explain the inconsistency. Was this one of the times that you and Speaker were speaking or were not speaking?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, Senator Dudycz, in order to answer that accurately - and I do wish always to be accurate - I would have to know what the question was that was asked of the Speaker. What I said to you is the absolute fact, and I think it reflects my statement and the Speaker's are not at all inconsistent. You asked me yesterday what -- what benchmark we used, and I told you. And I'm telling you that under the '88 U of I benchmark numbers, there are

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

twenty-one Democratic districts, twenty-seven Republican districts and eleven swing districts. And I'll bet you - well, I shouldn't gamble on the Floor, I guess - but I -- I am assured -- I will be sure that the Speaker would corroborate those numbers, using that benchmark, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Well, Senator, the Speaker's impact statement stated that he -- that the map created twenty Democratic State Senate districts, twenty-eight Republican Senate districts, and eleven swing Senate districts.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Absolutely accurate. And then it came over here and was amended.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Well, Senator, do you know which trustees were used in the analysis?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

For the sixth time, I think, in two days, the 1988 U of I Trustee race, which is a statewide race in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Well, maybe you don't understand my question, Senator. What I'm discussing -- or the question I'm -- I have to you is, is it

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

the middle trustee, is it the first trustee, or is it -- was it average of -- of both or the last one?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I think anybody who has been in this business for a while would also try to -- would always try to get the mean numbers. So, I instructed my competent analyst to use the middle one. Neither the high nor the low - just stay right -- very conservative, the way we all like it around here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Can you define "mean" to me? How would you define it, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I might suggest you turn around and look at Senator Watson. He sounded a little mean before. Let me just say to you, the mean is -- establish any two points you wish, and that in the middle is the mean.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Senator Rock, do you have an opinion as to whether it is desirable in creating Legislative Districts to split units of local governments, such as townships and counties?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I think Senator Lechowicz spoke to that quite admirably. And

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

the fact is, we - I, in particular, along with some others who shall remain nameless - fought for a long time with the Census Bureau folks who think they're a lot brighter than the rest of us. And if you ever looked at census tracts, they have little or no regard for any of our existing governmental and political and real boundaries. This map, on the other hand, makes every effort to honor those governmental, political, physical and geographic boundaries.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCHZ:

Do you know the numbers of counties which are split under the present Illinois Senate map?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

The map under which we sit currently? I am reliably advised it's forty-one or forty-two counties that are split - currently.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCHZ:

Do you know the number of counties split under the proposed Senate map?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No, I do not, specifically, but I can suggest it's something less than current.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCHZ:

Senator Rock, what would be your response if I told you that

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

the present map contains thirty-three split counties and your proposal contains forty-three split counties?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I would be surprised, because I would have had it the other way.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Dudycz.

SENATOR DUDY CZ:

Do you know the number of townships split under the proposed Senate map?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I do not, and I'm not sure I know the number of townships.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Senator Rock, what would be your response if I told you that the present map contains fifty-seven split townships and your proposal contains eighty split townships, an increase of twenty-three townships?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I'd ask two questions, then. Out of how many, and what was the reason for the split? And as I indicated to you, the only reason that there were ever governmental units or -- or political units that were split was an attempt on our part to achieve maximum minority participation. And so I'd have to have a little more specific information. I mean, I suppose that sounds bad on

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

its face. It does not, frankly, trouble me much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

Senator Rock, do you have an opinion as to whether it is desirable, in creating House and Senate Legislative Districts, to wherever possible have the Representative or Senator come from the same city or county as the majority part of his new constituency?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

The Gentleman asked if I had an opinion, and I would just like the question restated. I'm not sure I got it all, or I'm not sure what the point of it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

In your opinion, Senator, is it desirable, in creating House and Senate Legislative Districts, to wherever possible have the Representative or the Senator come from the same city or the county of the majority part of his new constituency?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I think you'll find that there are -- there are not a great number of -- if this is the question. Is your question, is it desirable to have a sitting incumbent retain as much or as big a part as his current district as is possible? Is that what you're getting at?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

No, Senator. I can repeat the question if you didn't understand it the first two times.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I wonder - you might have your lawyer type it out for me. I'm not -- I don't get the -- I mean, tell me what you're after. What do you want me -- what answer are you looking for? What is the -- I'm not sure I understand the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

Well, quite simply, Senator, I'm just asking if it -- for your personal opinion if it is desirable to have a Senator or a Representative represent -- or come from the majority part of his new district. Okay. Let me -- maybe -- let me clarify it for you, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

For example, in Cook County, would it be desirable, in your opinion, to have the Legislators -- that represent any portion of that county come from that particular county majority?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

My opinion is it should be, frankly, immaterial. I stood for election a couple of occasions, coming from a village outside the City of Chicago and had to campaign inside the City of Chicago on the basis that I was the best candidate, not on the basis of where I lived.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senator Dudycz.

SENATOR DUDYCH:

Well, Senator, do you know then, under the current map, the number of Suburban Cook County people - the population - who is represented by Senators who live within the corporate boundaries of the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No, I do not, and I -- I can only say, I -- I stand before you as one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCH:

Was there any attempt made with the proposed map before of us -- before us -- to increase the number of Suburban Cook County residents represented by a State Senator who resides within the corporate boundaries of the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Absolutely not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCH:

Under your proposed plan, do you know the number of individuals residing in Suburban Cook County who will be represented by State Senators who reside within the corporate boundaries of the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Don't have that answer, because we don't know who the voters are going to pick.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz, can you inform the Chair about how much longer you're going to be?

SENATOR DUDY CZ:

Until my questions are answers, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well.

SENATOR DUDY CZ:

What would be your response ...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

What would be your response, Senator Rock, if I told you that under the existing map, there are approximately or a little over one-half million suburban residents represented by Chicago Senators, myself included; and under your proposal, the number jumps by one-quarter million?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Is that supposed to distress me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz. Senator Rock.

SENATOR ROCK:

I presume that the people on the West Side of Chicago could stand where you're standing and say, "How come this fellow from Oak Park is representing us?" I don't really -- I truly don't believe that's material.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

SENATOR DUDYCZ:

Thank you. Do you believe that a legislative redistricting proposal should be politically fair?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCZ:

President Rock, are you aware of projections made by Speaker Madigan, emanating from his -- from this bill, as to the number of Democrat Senate districts, Republican Senate districts and swing districts?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Senator Rock, in drawing district lines on this map, were attempts made to use neutral or politically-motivated criteria?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I'm not -- I'm not sure what politically-motivated criteria are. I will say to you, as I said in the beginning, that our constitutional responsibility is to make sure that the districts are substantially equal in population, that they are compact, and that they are contiguous. In addition to that, we have an affirmative duty, under the Federal Voting Rights Act of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

'65 as amended in '82, to protect certain protected classes, to not engage in any retrogression and affirmatively to maximize minority participation. Those are the criteria under which I constructed the map as represented in House Bill 1354.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCHZ:

Well, defining "politically motivated" would be the preservation of incumbency and defining -- or your explanation, I would take it, is that you used neutral criteria. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That is correct, in part.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCHZ:

Which part?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, Senator Dudycz, I'm not sure what you wish me to say, but I -- again, I live in a political real world, and I am the Majority Leader, as chosen by my colleagues. And so, indeed, I have incumbency always on my mind.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCHZ:

Well then, Mr. President, would you please define -- Senator Rock, please define those neutral criteria that were utilized to draw the district which paired Senator Schuneman against Senator

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Hawkinson in an oddly-shaped district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I think it's fair to say, Senator Dudycz, that -- that we are confronted -- were confronted - and as I again said in my opening statement - this has been a particularly sensitive redistricting effort, but I think it's fair to say that all of us who attempted to -- to draw a map - and I'm sure you did - you have some natural boundaries that confine you. We have rivers on two sides and then we go up to the lake. And the fact is there was a substantial loss of population in Downstate Illinois. So if you start down at the bottom of the State at the southernmost end of the State and start pushing northward, you're going to find pretty soon that -- that the population loss literally pushed those districts upward.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCHZ:

Well then, which neutral criteria were utilized to draw that district -- or those districts - in fact, I'll compact this question, Senator - which paired Senator Macdonald against Senator Butler in a district which was deemed to be a safe Republican district, or which paired Senator Hudson against Senator Mahar in a district which was deemed to be a safe Republican district, or the district which paired Senator Rea against Senator Ralph Dunn in a district which was deemed to be a safe Democratic district? And, Senator Rock, which neutral criteria was utilized to draw the districts which pairs myself against Senator Lechowicz in a district which was deemed to be a safe Democratic district in Speaker Madigan's impact statement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senator Rock.

SENATOR ROCK:

Well, two things - Senator Rea and Senator Dunn are not in the same district. I hope you understand that. Secondly, I think it's fair to say - as I again harken back - you had a substantial population loss in the City of Chicago in certain districts. Senator Smith's district was fifty-one thousand people short of the mean, and so there was a push northward and southward and certainly westward. And we were attempting -- did attempt and have, in fact, achieved, in my judgment, the maximization of minority -- participation, particularly with respect to the Hispanics and the Afro-Americans. And as a result, all of us - you included - who are out literally on the periphery of the City, were pushed further north and/or west. And that was simply due to a population criteria.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDY CZ:

I understand that you mean the population shift to the suburban areas from the City, when you said the population criteria.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

There was that, too, but there was a substantial growth in the Hispanic population on the Northwest Side of the City and on the Southwest Side of the City, and there was a loss of black population in certain districts in the Southeast Side in particular. And so the push to achieve the substantially-equal-in-population desired result caused all the districts to be pushed westward, northward, southward.

PRESIDING OFFICER: (SENATOR DEMUZIO)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senator Dudycz.

SENATOR DUDY CZ:

Senator Rock, do you have an opinion as to the minimum percentage of African-Americans residing within a district to give the minority population a viable opportunity to elect a candidate of their choice?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I think the Federal Voting Rights Act and the Justice Department have established sixty-five percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

Senator Rock, your plan has five districts with African-American population over seventy-five percent. Three of those districts have -- or two of those districts have House districts with ninety-four percent African-American population, and three of those districts have African-American population over eighty-four percent. Do you believe that the African-American voters need a House district with over seventy-five percent or eighty-five percent to elect a representative of their choice?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No, but I also believe they have a right to live where they wish.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Dudycz.

SENATOR DUDY CZ:

Senator Rock, you indicated yesterday that no portions of the Chicago Urban League proposals were incorporated into the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

amendment that you proposed. Can you tell me whether the Chicago Urban League's proposals were in any way incorporated in the proposal which stands before us this afternoon?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I think it's fair to say, as Senator Alexander so ably pointed out, that, yes, we were in contact with the Chicago Urban League. As a matter of fact, the young man who represents them took advantage of our public access availability in both the computer terminal and in -- in lengthy discussions with Senator Alexander and others on the committee. So I think it's fair to say that -- that the configuration as represented in House Bill 1354 is not at all inconsistent with what the Urban League's desired result was. As a matter of fact, I'm happy to say I think they'll be delighted with it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Senator Rock, Article IV, Section 3 of the Illinois Constitution requires that Senate and House districts be compact. Do you feel that this proposal satisfies that constitutional requirement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz, your time has expired. Senator Dudycz.

SENATOR DUDYCZ:

There are numerous methods of calculating or comparing compactness, Senator. Do you know which, if any, methodology was

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

used to determine the relative compactness in the Senate and House districts in this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

If you're asking if I am aware of different methodologies or what they are, I wish you would explain them to me. I -- I have been in the map business now three separate times over thirty years, and it just seems to me you can look at one and get a good idea of whether it's compact or not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz.

SENATOR DUDYCH:

-- Mr. President. Senator Rock, you have answered most of my questions. Thank you for your indulgence. But, finally, I'd like to show you a district that is in your proposed map, and I'd like for you to tell me if this proposed district satisfies the constitutional requirement of compactness. It's described as number seven.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

The answer, in my judgment, Senator Dudycz, is yes, because what you -- wait a minute. Wait a minute. Wait a minute. You can't -- you can't just take that out of the global picture. Take a look at the districts that surround it, and you will see that we were literally, by virtue of population loss and in an effort, again, to maximize minority participation, we were -- we were pushed from two sides.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Watson. Senator Dudycz. Senator Dudycz.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

SENATOR DUDYCZ:

Yes, I'd just like to thank you very much, Senator Rock, for putting that on the record.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I'd like to make a few remarks about the proposal we have before us, House Bill 1354. There's no more of an individual decision that each of us make in our life as -- and that decision being is where we reside and where we live and where we make our home. There's numerous considerations that go into that: the schools, the transportation systems, the services that are -- are made available to us, our businesses, maybe even tax assessments. Those are all but a few of the reasons as to where we decide that we want to make our home. And Senator Lechowicz, you talked about the community of interest. That's what constitutes a community of interest - that we all share with the neighbors that live in our same parts of the State. And we call those cities, we call them townships, we call them counties. They're all in where we reside. But an indication of political or partisan gerrymandering comes when we see the fracturing of those communities of interest, those townships, those municipalities, those counties. And by way of comparing the proposal we have before us in House Bill 1354 with existing Legislative District lines, unfortunately, Senator Rock, we find marked increase in the splitting of both county and townships. Under the existing map, which we all represent - the existing map - thirty-three counties are split, Senator Rock, not forty-two. Thirty-three counties are split between Legislative Districts. The Democrat proposal that we have before us now contains forty-three splits. This translates, Senator Lechowicz, into a thirty percent decrease in the preservation of that community of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

interest that you -- you hold in such high regard. And I share that concern, Senator Lechowicz, when you compare that to the current districts that we now serve. Unfortunately, in the proposal we have before us, the number of split townships increases from fifty-seven to eighty. And Senator Rock, it's obvious why this splitting occurred. It's an obvious, blatant attempt at political gerrymandering. An example that we heard from in the questioning and answering of how crossing municipal boundaries can cause a dilution of that community of interest that so much of us are so concerned about can be found in the -- in the reference to those districts in which a Senator resides in the City of Chicago but who represents a constituency who reside outside the City. Presently, under the map we currently serve, the number of Illinois residents - and we heard this in the question and answer - thus represented outside of the City, but by City representation here in the General Assembly and in the Illinois Senate, is roughly five hundred and ninety-some thousand people. The Democrat proposal, which we have before us now, jumps that number to over seven hundred and seventy thousand. That's an indication that virtually an entire suburban district is being eliminated. Representation of a suburban area of this State and of the City of Chicago is not being represented by the map that we have before us. And this proposal flies in the face of the population shift that we've experienced and seen experienced over the last ten years, and that population shift is the people leaving the City going into the suburbs or the Collar County areas. There is no more blatant and objective indicator of party and partisan gerrymandering than a legislative redistricting proposal that creates districts in which incumbents - sitting incumbents - are intentionally placed in the same district. It's inevitable that one of those incumbents will not return. Moreover, when such pairings pit incumbents of the same party,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

it's automatic that the voice of that particular party will be reduced. That's what we're seeing in the proposal that we have before us. The Democrat proposal contains not a single pairing of one Senate Democrat incumbent. On the other hand, Senate district lines are conveniently drawn in such a manner that six Republican incumbents are paired against each other in three districts. Senator Schuneman and Senator Hawkinson. Senator Macdonald and Senator Butler. Senator Hudson and Senator Mahar. All placed in districts in which they'd had to run against each other in a primary. And those districts, by your own calculations, are determined safe Republican districts. Also contained in your proposal are three districts deemed to be safe Democrat districts. Well, what have you done to the good friends on this side of the aisle in three of those districts? You've placed Republican incumbent Senators. And what does that do to the minority representation on this side of the aisle? To me, that is obviously political gerrymandering. Six Republicans - not just a few, Senator Rock - six Republicans now currently on the Senate Floor do not return, a reduction of twenty percent of our caucus - another obvious example of partisan gerrymandering. The Voters' <sic> Rights Act of 1965 guarantees minorities will not be denied the opportunity to elect representatives of their choice through the artful drawing of gerrymandering partisan politics. While your proposal, Senator Rock, does increase the number of Afro-American districts from six to seven, and that of the Hispanic population from one to two, it doesn't take a genius to figure out that it falls woefully below and short of the constitutional mandate of the Voters' <sic> Rights Act as it applies to the Afro-American representation. Going back to my original concern for the location of one's home: ten years ago, under the careful work of many of the same individuals who've drawn this map, my home County of Bond was divided. The House

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

district that I represented was taken away from me. And if I was to remain in elected office, I was to have to move. And I talked this over with my family, my wife and my kids, and the decision was made to move. I enjoy what I'm doing. I enjoy representing the people of my area, and I wanted to continue. So, I moved. I moved three miles south of Greenville, the community in which I was born and raised, I had my business, I went to school. My wife was from there. I moved three miles south. But it was no longer a part of my district - my home community. But I was able to keep my kids in Greenville schools, and that was important to us. And I made the choice to move. But the disruption - the disruption - that this caused my family I wish on no one. But now we are seeing today, unfortunately, the obvious attempt to gerrymander districts and make more Republican incumbent Members make that same choice that I did. And it's not a choice that's going to be made easily. And why is that choice being made? Because of the political lust for power we're seeing by the Democrat Party and the remap proposal we have before us. I urge you to vote No. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. As a downstate Assistant Majority Leader in this Body, I would like to commend the President of the Senate for his efforts in producing a map that addresses the many diverse racial, ethnic and geographical considerations of the citizens of the State of Illinois. To think that such a plan could be produced and then agreed upon by the majority of Legislators duly elected to this Body is a credit to his commitment to a fair map. This map not only adheres to the United States Constitution, the Federal Voting Rights Act of 1965 as amended, and the Illinois Constitution, it is also a politically

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

fair map. Nowhere in the State are State Senate races more competitive between the two parties than in downstate. Districts that have seen large sums of political resources expended and have been considered target races by both parties during the last ten years continue to be so under this map. The two Downstate Senate incumbents under this map residing in the same district is the -- is a direct result of a population loss of nearly seventy-five thousand people in the Peoria, Galesburg, Quad Cities, Sterling, Rock Falls area. Yes, despite the fact that these two districts are combined, each Senator will -- will retain approximately half of their current districts for the next elections. Flawed arguments from the other side of the aisle will include these for keeping intact the so-called communities of interest. But let me tell you, the Senate and the House majorities initiated twenty-three Statewide hearings this year on redistricting. And on the issue of Legislative Districts sharing municipalities, counties and townships, the testimony was all over the board. Each of us have areas in our district that are shared by other Legislators, and I, for one, think it makes us do a better job. So, yes, these new districts are shared communities and other political boundaries, but remember - our first responsibility is to ensure that voters in this State -- has an equal importance when they participate in legislative elections; that every man and woman has one vote. We have done that in this map. I'd urge my downstate colleagues to look at these new districts, because many of them should look very familiar. And if our colleagues on the other side of the aisle would have presented a plan, we would probably be seeing districts very much like the ones Senator Rock is presenting here today. It's too bad. We'll never know. It's too bad we can't debate the differences between the Democratic plan and the Republican plan, as we debate on this Floor every single day the differences of opinions we have on important issues

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

facing this State. The Senate President has presented a plan, not as the Majority Leader is required to do under our Constitution, but as this Body is required to do. The other side of the aisle has missed their once-in-a-decade opportunity to have citizens they represent have a say in these new districts. I urge all Members who believe that these districts represent the best interests of your constituents to vote Yes on House Bill 1354. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. Yesterday and today, we in the majority have listened - with great restraint, I might add - to the rather doltish questions of Senator Watson and the predictably partisan questions of Senator Dudycz. And we have listened with great interest to the debate - or more accurately I should say the rhetoric - coming from the other side of the aisle. And I must tell you that it has left me curious, very curious in fact, on several fronts. As we sit here today listening to the other side of the aisle, we are listening to complaints about how bad President Rock's map is - a map, incidentally, that leaves the Senate President in a district along with many colleagues on the side of this aisle without a majority in their own districts. Now I ask you, if this map is so bad, why don't you put your own map forward? It is not as if you haven't been afforded the same opportunities. Over the past two years, your side of the aisle has received five hundred thousand dollars to develop a proposal. But has a proposal surfaced? Well, we all know the answer to that. No, it has not. And one has not surfaced from your colleagues on the other side of the rotunda. And they, too, received five hundred thousand dollars to develop a map. One million dollars for the two Minority Leaders - no more,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

no less - than the amount afforded to the President of the Senate and the Speaker of the House. And what did the taxpaying citizens of Illinois get for the one million dollars afforded the Minority Leaders of the House and the Senate? What did they get for their money? Nothing. No maps. No proposals. Nothing at all. You stand here with unbridled audacity and criticize our map, when you show us nothing of yours. The taxpayers of Illinois will ignore your self-righteous rhetoric. They will not be fooled. In fact, they will want to know - where are your maps? Or, where is the money? Where is the one million dollars? Have you spent any of it? Have you spent all of it? Do you have anything left, because Comptroller Netsch would love to have some dollars to pay some of those bills that sit atop her desk. And to the rank and file Membership across the aisle, I suggest you think long and hard as to how this will play back home. With the cameras rolling, we are in the midst of a serious and tedious debate. And you're sitting here unable to show your taxpaying constituents any proof that your one million dollars was well spent. You have nothing. No alternative. No map. And worst of all, no explanation. It is no wonder why you have slowed down the legislative process down to a crawl. Mr. President, yet again, true to your trademark, you have been fair. You have produced a map that follows the dictates of the law and the constraints of the court. I commend your map. I commend you. And I urge an Aye on House Bill 1354.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. I, too, rise in support of House Bill 1354. First, I would like to commend President Rock and his staff and also Speaker Madigan for two -- for approximately one year of intensive involvement of the people of this State into the redistricting process. Ten years

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

ago, I stood in this Chamber and we drew a map, a map that myself or any of my colleagues had any input at all in. But this year it's different. Senator Rock and Speaker Madigan provided maximum opportunity for the people across this State to participate in this process. I think we have seen that process is the democratic process at its best as we proceeded to develop this map. I have heard a lot of talk on the other side of the aisle, and most of the rhetoric put forth over there has been about fairness to minorities. Well, we all know that we don't have to worry about that being a concern on the other side of the aisle. I don't see any minorities sitting over there in any of those seats. And I'm sure after this map is done, in the next election, you're not going to see any minorities sitting over there either. But I think this map, in terms of minorities, has been fair. At least every effort to make sure that it's fair, I'm confident, was put forth. I was there in that map room. The Chair of the Election Committee is a minority Member of our caucus. She was there. She provided leadership and had input into everything that has been said and done as it relates to this map, including public hearings. So I'm confident that we have had that input. The community access room has been available. Any minority group back home or anyplace in this State who had some concern were given access - equal access - to the computer room. It was open to them to come in, to draw their own map, to tell us if this -- if this map is not what you want, how can we do it better? We took their advice and what you see in this bill is a composite of most of the ideas and suggestions that were given by many of the groups that participated, and especially those who wished to have participated. They participated. This map has increased, as it's before us, the -- the minorities in this Chamber from seven to ten. At least there is an opportunity to elect ten. And on the House side, it has increased from fourteen -- from sixteen to

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

nineteen. That's progress. But in addition to that, we have made every concerted effort to identify minority populations in communities across this State. And there were also every efforts to make sure that in those cases where we could not find adequate population to draw a minority district, that we do not -- did not dilute their voting strength by fractioning their communities. In doing so, we were able to ensure, in addition to those seats with the super-majority, that we had several other minority-influenced districts, and I think that's progress. The other side of the aisle also talked about political gerrymandering. And I'm not a lawyer, but one thing I try and keep up with, what's happening on an issue as important as reapportionment. The case law is very vague as it relates to political gerrymandering. But one thing it is not about, it is not about protecting an incumbent's district. And it is -- to ensure that one Republican remains in that seat. Reapportionment is not about that at all. Each of us on this side of the aisle did not get what we wanted in this map. But we felt that this map was fair, because that's not what it's all about. It is not about my seat; I don't own the seat - or your seat; you don't own the seat. It is about fair distribution of the districts, based on the population, based on what the census data produced for us. And that was very difficult this time, because it was faulty, and we all know that. But that's what reapportionment is about. That's what this map does - took in consideration the figures that we had, attempted to count every citizen and attempted to maximize minority participation. I think it's a fair map, and we should vote on it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce.

SENATOR J.E. JOYCE:

Thank you, Mr. President. There have been two matters that have concerned me throughout this process. One somewhat concerned

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

me and the other greatly concerned me. And I think those people on my side of the aisle are aware of these. The first has to do with the question of dilution of minority voting strength under the Voting Rights Act of 1965, as amended 1982 - the so-called sixty-five percent rule. The second question about which I am greatly concerned deals with the establishment of legislative intent as it relates to our reapportionment process as set out in Article IV, Section 3 of our State Constitution. Senator Rock, I mean you no disrespect, nor do I wish to denigrate the process that you've been involved in, but I would ask if the sponsor will yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Joyce.

SENATOR J.E. JOYCE:

Senator Rock, do you recall the caucus in the third week of June of this year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

And that caucus was held downstairs on the second floor, very similar to all the caucuses that we hold in which you somewhat presided, assisted by the caucus chairman, and we sat -- and we sat facing you and a discussion was initiated with respect to -- among other things -- the question of this sixty-five percent rule. And you represented to us, in the course of these discussions, that it was your intention to make every effort possible to assure the protection of minority voting strength and voting representation through the imposition, to whatever extent you

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

could impose it, the sixty-five percent rule. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

And pursuant to that, there were some responses from one or more Senators who were present at that caucus, and those responses indicated a disagreement with that position. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That is correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

I know you are familiar with a statement by Mr. Robert Berman, who is the attorney for the Voting Section/Civil Rights Division, with respect to this sixty-five-percent rule. Is that not correct, Mr. Rock?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That is also correct, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

I would now like to read that into the -- a part of that statement into the record, if I may. In response to a question on this, and in explaining this, Mr. Berman has said, "I have been

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

asked to give you the Department of Justice position on the so-called sixty-five-percent rule; i.e., whether a minority district must be at least sixty-five percent minority in order to be considered one in which members of the minority community can elect candidates of their choice to office. We attach no particular significance to a sixty-five percent figure. The Department has frequently concluded, based on the facts present in a particular plan, that districts containing a minority population significantly less than sixty-five percent, and even fifty percent of the total, can withstand scrutiny under the Voting Rights Act." Do you recognize that as being a statement made by Mr. Berman?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes, I do.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

Senator Rock, if you know, did you or anyone involved or under your direction -- strike that. Senator Rock, are you familiar or did you refer to either of these two cases: Garza versus County of Los Angeles, 918 Federal Second 763, a 9th Circuit case; or Thornburg et al versus Gingles, 478 U.S. 30? Did you refer to either of those cases in the process of designing, drawing or constructing this map?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Yes, I did.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Thank you. I would now like to, if I may, deal with my more important concern, and that has to do with the question of legislative intent. Senator Rock, I will not ask anymore questions of you -- on this, because I may get an answer that would cause me to absent myself from this, but I would like to establish a record on the question of legislative intent. Our Constitution sets out a somewhat unique process for reapportionment. And it provides that if on this day we do not have a reapportionment law, that the matter passes to a commission. I've told Senator Rock, and I've told my fellow colleagues, that I find it difficult to understand, under our system, how we can establish legislative intent when it seems to me that a reasonable reading of delegate debate supports the contention that our reapportionment procedure is a three-stage process, and the failure of the charged authority to act within a prescribed time period would result -- results in a yielding of jurisdiction to that next staged authority. In order to answer this question, I proceeded, as you or anyone else would proceed -- went to the law books to try to find some case law on it. There is little. The next available sources were the debates of the Constitutional Convention and sources available; i.e., participants at that Constitutional Convention. It is my contention that the verbatim transcripts of August 12th, 1970 of the Constitutional Convention and the verbatim transcripts of July 17th, 1970 support the proposition that the writers of our Constitution did not intend for us to have the ability to establish legislative intent. They talked about this and debated this process -- this reapportionment process -- saying, "You have your chance. If you fail to act, it moves on to the next stage." In fact, in the debate, at one point we were not even in the process. The Legislature was not in -- was not in the process. I will conclude. I believe that under Article IV, Section 3 of our

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

State Constitution, our failure to pass into law a redistricting map which results in the appointment of a commission is tantamount to a preclusion of legislative intent. I also believe that President Rock and Speaker Madigan, those who have constructed House Bill 1354, as amended, have gone far beyond what is required under Section 2 of the 1965 Voting Rights Act. In closing, I will state that my vote will be cast today in this context that I have just described, and it will be cast for reasons far beyond the scope of this debate. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I'd like to take a little different approach to -- to this map process, if I might. I'd like to read you a poem. I think it may -- it'll make great legislative -- if the judge ever gets bored, he could -- he could at least glance at the poem and -- I'm not saying it would inspire him or anything, you know, but -- the name of the poem is called, "Universals." And it goes like this:

"You are not black. You are not white. You are not Hispanic. You are so and so. Mr. and Mrs., man and woman, child and parent, friend and lover. Humanhood involves each and every one of us. We are the branches of the same tree. We are the ground of the same earth, the water of the same ocean, the blue of the same sky. We are one substance, one humanity, one mankind, but we are moving in opposite directions, because we perceive each other as different entities, occupying a different space and time. We need to make the connection, the association, that requires us to see ourselves as parts of a greater whole. Forget who you are. Forget your identity. Forget your name. You are nothing. But you, and you, and you, and you, are all things. Meaning awaits us. Our destiny is calling. We must learn to speak with one

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

voice - one language - that communicates all things to all people. The language of love. The past looms large over us. Forget the past. Forget old ideas. Forget dichotomies. Think humanity. Think about a person's eyes. What do you see? Your own image. Think -- think about a person's heart. What do you hear? One heartbeat, living and breathing with the same human needs as you. We must be willing to surrender ourselves for the sake of mankind. The individual for the sake of society. The rich for the sake of the poor. The able-bodied for the sake of the disabled. We must transcend our differences. Look to the future. Move in one direction. Together united in a sea of humanity, chanting a haunting refrain, 'We shall overcome discrimination, injustice, poverty, man's inhumanity to man.' Together we will become one nation under God moving toward a common destiny, arm in arm, hand in hand, laughing, crying, singing, praying, meeting challenges, problems, obstacles, with the resolve and understanding of one people united by one common idea that all men are created equal. But we can't do it alone. It will take a total restructuring of our society - a total re-evaluation of our institutions. They have become stale and moldy, not responding to the needs of the people. Our destiny demands it. We must change our present policies. If we do not, we will fail. If we do, we will become the example of the rest of the world to follow. Don't let life get you down. Don't let hope turn into resignation. No! We can overcome. We can turn this thing around, but it takes guts. It takes courage. It takes a willingness to make things happen. We can do it. We can make it. We can make the dream real."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and Members of the Senate, as one of those Democratic Members that attended that caucus that Senator Jeremiah

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Joyce referred to, and as one of the Members that brought out some of the questions and some of the concerns that you've heard him expound on, I want the record to show that I do concur with those concerns and statements that were issued by Senator Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, looking -- I always look forward to reapportionment. It's always a very sensitive time. People get tense. People get nervous. We all do. Senator Rock and I have tried to -- to work out a compromise. We have talked. We have discussed. And I thought, quite frankly, we might end up with a better map than we did ten years ago. And very honestly, we have not. Ten years ago the City of Chicago lost population. After this census, they have lost population once again - in round figures, about two hundred and twenty-five thousand people. The suburbs gained population ten years ago. Once again, suburban Cook and the Collar Counties have gained about four hundred thousand people, in round figures. You would think -- you might think, you might jump to a conclusion that the Collar Counties, the suburbanites, might pick up some representation in the General Assembly. I look at the suburbanites as a class of people. We're hardworking. We pay our bills. We're not on welfare. We don't take public aid. We're the powerhouse of this State. Yet, you once again -- you once again have denied us our representation in the General Assembly. Now how do you do that? Under the present map, you have about eighteen. Under this new map, you have put in our computer, you'll probably end up with nineteen. Yet you've lost population once again. You deny a class of people - suburbanites - their representation in the General Assembly. You know, also one of the complaints that we have had is busting county and township lines.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

People don't like that. They don't understand it. It confuses them - who their State Senator is or who their State Representative. Under your -- under the old map, thirty-three counties were split. Under the new map, forty-three counties are split. Townships under the old map, the map we serve on now, fifty-seven were split. Today, this map, eighty are split. Confusing, once again, to that -- poor person who has to vote, who gets out and vote, who works hard, would like to know and understand Legislative Districts. This is a bad map. It's not a fair map. It, very honestly, denies a great class of people their representation in the General Assembly, and that is we suburbanites. I was on a commission ten years ago - and, as you know, we have thirty days - we had two meetings. I think the first meeting and the last meeting. Out of the hat came Governor Shapiro, and he pledged in front of that commission, we're going to work together to work out a very fair map. Well, I talked to Governor Shapiro at least three or four times on the telephone, never had a meeting with him. The next thing I knew, the last day we had our commission meeting down in 212 and the Democrats came wheeling in with about a ten-page -- I should say ten pounds of paper - that was the map. We voted on the map about fifteen minutes after that. No input. We had never seen it. And we were asked to vote for it. But this was the fair objectivity we had in the commission. Well, I suggest this to you; that we're going to get back to that commission. I'm not sure who you're going to appoint or who I'm going to appoint, but I hope that we're not going to go through the same facade we did ten years ago. I want you to know there's a sincere effort on this side of the aisle to try to work out a reasonable map that is fair to everybody in the State of Illinois, and particularly those people who are -- who are being once again under represented - the people in the suburban Collar Counties. I would suggest that everybody ought to

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

vote No on this map, because it's not fair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have indeed heard a lot of rhetoric and -- as always happens in redistricting year. But the fact is, this is redistricting year and, under the Illinois Constitution, the General Assembly has an affirmative responsibility to respond to the population change in the -- as the Federal Census reflects, and that's what House Bill 1354 is all about. It is comprised of districts that are substantially equal in population, as the Constitution calls for. They are indeed, in my judgment, compact and contiguous. And where they're not so or where it doesn't look like they are, I can assure you that they only look that way because there has been every effort to maximize minority representation. And some wise man once said, "Comparisons are odious in general." But how do you compare this map to the existing map, to the one we currently serve under? Because we all know - I read Senator Philip's press release - how patently unconstitutional the present, existing map was, because of those population shifts. I would prefer, frankly, to stand before you and compare my effort as embodied in House Bill 1354 with your effort and let's see what's fair. And I will say to you without fear of contradiction, Senator Watson - I truly understand disruption. And I will say, as I have said to Senator Philip for the past five weeks - and I will say publicly again - there was no intentional pairing; because, if there was to be intentional pairing, pal, I've got some over there I'd sure like to gun for. And the fact of the matter is, if you talk about partisan fairness, I refer you only to the pairings that happened in the House of Representatives - all Democrats - all Democrats that are

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

indeed paired and will apparently wind up in a primary against one of their colleagues. And, yes, Senator Joyce and I have talked of his concern, and his concern is a legitimate one. I thought in 1981 that the sixty-five percent rule overreached at that time. And there is some serious discussion among constitutional authorities as to whether or not it is even necessary anymore, much less overreach. But the fact is it was amended in 1982, and then we had the Thornburg Case. And the gist of the amendment was you don't even have to prove intent. 1981, we -- the intent had to be proved, the intent to deny minority participation and/or representation or to deny a protected class what should have been protected. Now you don't even have to show intent under this case. If the effect of what you do is that denial, you're guilty - the map's no good. So, I admit to being super scrupulous in that respect, and I admit it because I think the underlying theory under which I was working and above all and finally, Mr. President, the -- this map is fair. And that's the underlying theory against which I was working. It is fair to the protected classes, as defined in the Statutes, and in the Constitution, and in the cases. It is fair to the African-Americans. It is fair to the Hispanics. It is fair, I suggest, to all of us who are partisan. It is fair to Democrats. It is fair to Republicans. It's fair for the people of Illinois. And I ask your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1354 pass. 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 31, the Nays are 28, none voting Present. House Bill 1354, having received the required constitutional majority, is declared passed. Senator Carroll.

SENATOR CARROLL:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Thank you, Mr. President. Having voted on the prevailing side, I move to reconsider the vote by which House Bill 1354 passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Carroll moves to Table. Senator Berman. Senator Berman moves that that motion lie upon the Table. House Bills 3rd Reading. House Bill 1357, Madam Secretary.

SECRETARY HAWKER:

House Bill 1357.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1357, for the first time in the history of this State, will apportion the Circuit Court of Cook County into subdistricts for the purpose of electing the Judiciary in the County of Cook. We talked at great length last year when this legislation was passed, then found unconstitutional, and then repassed. But the fact is, House Bill 1357, as it now sits before you, divides the County of Cook into fifteen subdistricts for the purpose of electing judges. I will say to you again - although there is little or no case law on the question of judicial districts - that this map represents and follows those same criteria, namely: the districts are substantially equal in population; they are contiguous; they are compact. Our judgment is, given the compromise efforts from both sides of the aisle in both Houses, they are politically fair, and in my judgment, given the fact that they do recognize the minority and Afro-American population, setting up as they do four minority districts and two Hispanic-influenced districts, I think they are in accord with the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Voting Rights Act - if indeed that Act applies to judicial maps. In any event, I think it's an effort of which we can all be proud, and I would be happy -- I urge an Aye vote, and be happy to yield to Senator Brookins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I rise today to give strong support to this Judicial Apportionment Map, House Bill 1357. As sponsor of the original legislation to divide Cook County Circuit Court into subdistricts, I'm especially proud today. Although the headlines tomorrow will talk of legislative map, and of the great budget, and fiscal balance, that are being fought -- I believe that the true story from today will be that historic passing of this map. A long time ago we began to fight for fairness, equitable and representation in our court system. Today we will see that dream realized. It is fitting that those countless people who helped win this battle be thanked, and I rise today to thank them. It is also fitting to very briefly note the magnitude of passing of this map. The courts have traditionally been the last place for refuge for minorities. It was thirty-seven years ago today that the -- it was thirty years ago that the Supreme Court ruled that segregation was unconstitutional. The lawyer in that case...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Brookins, I was trying to get you some order.

SENATOR BROOKINS:

Thank you. The lawyer in that case, the great Thurgood Marshall eventually became the first black man to serve on the Supreme Court. But our battles aren't about first any more; our battles today are about making the system work for all minorities

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

- not just those that are able to break the chains of racism and poverty. This map provides for four African-American judicial districts and two Hispanic districts, shows that the system can work for everyone. Ladies and Gentlemen of the Senate, today we will make a historic decision. But in a large sense, we are merely implementing a decision made more than two hundred years ago, when this country was founded on the proposition that all men are created equal. In honor of Thurgood Marshall, I ask that the Senate unanimously approve this map. Thank you, Mr. President. Thank you, my colleagues.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Want to speak briefly. As you know, for Senator Brookins and myself, this has kind of been a three-year crusade, and it is certainly to our pleasure, and I think to the pleasure of many people, to see that we reached the stage where this map is coming to final passage. It should be reminded that this idea of having Cook County divided into judicial subdistricts is not some novel or unique thing; it is covered in the Illinois Constitution - the Judicial Articles saying the Legislature may do it. But more importantly, all it really does is make the Cook County judiciary almost identical to the downstate judiciary. This is how it's done downstate. All we in reality have done is added Cook County to Illinois. I want to particularly thank Members who have worked on this: in the House, Representative Paul Williams and Anthony Young have been of tremendous value, and the entire House Black Caucus has labored and taken a thorough beating on this subject more than once. Republican Members, Assistant Leader Robert Churchill and Jack Kubik has been of tremendous support. This has been a bipartisan effort with negotiations involving the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Mexican-American Legal Defense and Educational Fund, and Senator del Valle, Cook County...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator Keats. Ladies and Gentlemen. Senator Keats.

SENATOR KEATS:

-- the Cook County Bar Association, and we've had numerous public hearings. This map is as good an example of how a reapportionment process can be done in the open and worked on in a bipartisan manner as anything I can think of. And I want to conclude with a special thanks to Acting Appellate Court Judge Alan Greiman, who claims to have drafted large portions of this map, and told us he had worked for months, personally, on how to draw these districts. He called legislators in the middle of the night; went to meetings early in the morning. He was so dedicated to drawing this map that he completely ignored all constitutional guidelines and judicial canons that told him that this was a legislative activity. Truly, his activities helped pass this map by reminding us the politicalization of the Cook County judiciary. I thank all of you for the work you have done. This map, based on the bipartisan effort that has gone into it, clearly deserves the support of all of us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate. I think that both Senator Brookins and his associates, Senator del Valle and Senator Keats, who worked very hard to achieve this balance, and has been doing this for the last few years, are to be commended, and I certainly speak in favor of this map.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Cullerton. Cullerton.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

SENATOR CULLERTON:

Well, I'm just going to state for the record that I think that the comments made by Senator Keats were very inappropriate. I don't expect him to give an apology to Justice Greiman, but I would just indicate for the record that I think it is an affront to his integrity, and it was totally uncalled for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator -- if not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President. I think you're probably going to see a little different roll call on this one. In my judgment, again in the art of compromise, I think this is a fair effort. And frankly, the fact of the matter is, I think we gave the Republicans too much, but I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the -- question is, shall House Bill 1357 pass. 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 59, the Nays are none, none voting Present. House Bill 1357, having received the required constitutional majority, is declared passed.

END OF TAPE

TAPE 3

PRESIDING OFFICER: (SENATOR DEMUZIO)

Messages from the House.

SECRETARY HAWKER:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No. 1 to a bill of the following title, to wit;

Senate Bill 45.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference to consider the differences of the two Houses in regard to the amendment to their bill.

Action taken by the House, June 29, 1991.

I have like Messages on:

House Amendment No. 1 to Senate Bill 151.

House Amendment No. 1 to Senate Bill 630.

House Amendment No. 1 to Senate Bill 659.

House Amendment No. 1 to Senate Bill 750.

House Amendment No. 1 to Senate Bill 799.

House Amendment No. 1 to Senate Bill 821.

House Amendment Nos. 1 thru 5 to Senate Bill 844.

House Amendment No. 1 to Senate Bill 908.

House Amendment No. 1 to Senate Bill 961.

House Amendment No. 2 to Senate Bill 1310.

House Amendment No. 1 to Senate Bill 1345.

And House Amendment No. 1 to Senate Bill 1455.

Action taken by the House, June 29, 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Jacobs moves that the Senate accede to the request of the House. Message 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 concur with the Senate in the adoption of their amendment to a bill of the following

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

title, to wit:

House Bill 256 with Senate Amendment No. 1.

I have a like Message -- pardon me. That's all I have, actually.
Non-concurred in by the House, June 30, 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Secretary's Desk. Message 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 Joint Resolution No. 1, and requests a second committee of conference to consider the differences between the two Houses in regards to their Amendment No. 1.

Action taken by the House, June 30, 1991.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs moves to accede to the request of 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 adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 64 offered by Senator Philip.

I have like Messages on:

House Joint Resolution 69.

House Joint Resolution 70.

And House Joint Resolution 71.

They are all congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Messages from the House.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

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

House Joint Resolution 16.

It is substantive.

Adopted by the House, June 29, 1991.

I have like Messages on:

House Joint Resolution 42.

House Joint Resolution 65.

They're all three substantive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive Committee. Resolutions.

SECRETARY HAWKER:

Senate Resolution 636 offered by President Rock and Senator Davidson.

Senate Resolution 637 offered by Senator Topinka.

Senate Resolution 638 offered by Senator Topinka.

Senate Resolutions 639 and 640 offered by Senator Topinka.

Senate Resolution 641 offered by Senator Hudson.

Senate Resolution 642 offered by Senator Donahue.

Senate Resolution 643 offered by Senator Brookins.

Senate Resolution 644 offered by Senator Smith, President Rock and all Members.

Senate Resolution 645 offered by Senator Keats.

Senate Resolution 646 offered by Senator Topinka.

Senate Resolution 647 offered by Senator Welch.

Senate Resolution 648 offered by Senator Savickas and all Members.

Senate Resolution 649 offered by Senator Watson.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senate Resolution 650 offered by Senators Marovitz and Geo-Karis.

And Senate Resolution 651 offered by Senators Demuzio and Davidson and all Members.

They're all congratulatory and death resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY HAWKER:

And Senate Resolution 652 offered by Senator del Valle.

It is substantive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right. Ladies and Gentlemen, the Senate will come to order. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As I'm sure you're all aware, as most of you have now been appointed to one conference committee or another, there are a number of conference reports that are circulating for signature; there are a number of meetings going on. The fact is, once signed and put into the process, it takes a little while to duplicate the paper and the copies that are necessary and the Calendar. We have one Calendar virtually ready to go, but the fact is Senator Philip and I have discussed the opportunity to have some dinner and afford the conferees an opportunity to meet, so that we can get as much done as we can this evening. We do intend to work until midnight. And so I would suggest, and will recommend, that we stand in recess until 8:15 so that we can be back on the Floor; and at that point, we'll have all the copies and the Calendars and everything ready to go. I move we stand in recess till 8:15.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. We'll stand in recess till the hour of 8:15.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

(RECESS)

PRESIDENT ROCK:

While we're waiting the arrival of the other Members who are conferring, I think it behooves us to move to the First Special Session of the Eighty-seventh General Assembly.

FIRST SPECIAL SESSION

(See First Special Session Transcript)

SENATE RECONVENES

PRESIDENT ROCK:

Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Resolution 653 offered by Senator del Valle.

It is a death resolution.

PRESIDENT ROCK:

Consent Calendar. With leave, we'll add it to the current Consent Calendar.

SECRETARY HAWKER:

And Senate Joint Resolution 81 offered by Senator J.E. Joyce.

It is substantive.

PRESIDENT ROCK:

Executive. Some of the Members have requested that the resolutions filed - the congratulatory and death resolutions - be finalized. And so I think it behooves us, Madam Secretary, to finalize those yet tonight, and we can start a new list if, indeed, we are going to stay over. Madam Secretary, have any objections been filed to the Resolutions Consent Calendar?

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

SECRETARY HAWKER:

There have been no objections filed, Mr. President.

PRESIDENT ROCK:

All right. No objections having been filed, Senator Hall would move the adoption of the Resolutions Consent Calendar, so that the Secretary can have them prepared and ready for the Members. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. The Resolutions Consent Calendar is adopted. Senator Davidson, for what purpose do you arise, sir?

SENATOR DAVIDSON:

Mr. President, if it's appropriate, I'd like to go to the Non-concurrence Calendar for the purpose of not concurring in a -- to get this bill into a conference committee. Page 19.

PRESIDENT ROCK:

All right. Without objection, leave is granted. We're on Page 19 on the Calendar. On the Order of Secretary's Desk, Non-concurrence. Yeah, that's -- okay, I got it. House Bill 1123, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 1123.

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

Mr. President -- Mr. President and Members of the Senate, I move we not recede from Senate Amendment 1, and ask for a conference committee on House Bill 1123.

PRESIDENT ROCK:

All right. Senator Davidson has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1123, and that a conference committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the Senate

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

<sic>. For all who are within the sound of my voice, we have Supplemental Calendar No. 1 - that's House Bill 406, Senator Jones; House Bill 927, Senator Cullerton; House Bill 1838, Senator Luft; House Bill 2352, Senator Philip; House Bill 2556, Senator Severns - all of which are on the Order of Non-concurrence. And we have conference committee reports that have been filed - Senate Bill 10, Senator Berman; Senate Bill 539, Senator Topinka; Senate Bill 1016, Senator Brookins; 1364, Senator Jerome Joyce; and 1451, Senator Severns. I would ask those Members to please be ready. All right. Ladies and Gentlemen, if I can direct your attention to Supplemental Calendar No. 1, on the Order of Secretary's Desk, Non-concurrence. If they wish -- if the Members wish these bills to go into conference, the Motion is to Refuse to Recede from the Senate amendments and make a request. House Bill 406, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 406.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President. I move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 406, and request a conference committee.

PRESIDENT ROCK:

All right. Senator Jones has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 406, and that a conference committee be appointed. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. On the Order of Secretary's Desk Non-concurrence, is House Bill 927, Madam Secretary.

SECRETARY HAWKER:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senate Amendment No. 1 to House Bill 927.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I would move to refuse to recede from Senate Amendment No. 1 to House Bill 927. Ask that a conference committee be appointed.

PRESIDENT ROCK:

All right. The Gentleman has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 927, and that a conference committee be appointed. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. 1838. Madam Secretary, please.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 1838.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would ask that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1838, and a conference committee be set.

PRESIDENT ROCK:

The Gentleman has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 1838, and that a conference committee be appointed. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. With leave of the Body, Senator Weaver, House Bill 2352, Madam Secretary.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 2352.

PRESIDENT ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I'd ask that the Senate refuse to recede on House -- or Senate Amendment to House Bill No. 2352.

PRESIDENT ROCK:

All right. The Gentleman has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 2352, and that a conference committee be appointed. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. 2556. Senator Severns. Madam Secretary, please.

SECRETARY HAWKER:

Senate Amendment No. 1 to House Bill 2556.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I move that the Senate recede from Senate Amendment No. 1.

PRESIDENT ROCK:

All right. The Lady has moved that the Senate will recede from Senate Amendment No. 1. This will be final action, Ladies and Gentlemen. Senator Severns. Senator Severns. Explain the amendment.

SENATOR SEVERNS:

Thank you, Mr. President and Members of the Senate. This simply provides that when institute days are given, that -- sex abuse may also be a subject that can be included in those topics to be discussed.

PRESIDENT ROCK:

All right. The Lady has that the Senate recede from Senate Amendment No. 1 to House Bill 2556. Discussion? If not, the question is, shall the Senate recede from Amendment No. 1 to House

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Bill 2556. Those in favor vote Aye. Opposed vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate recesses from Senate Amendment No. 1 to House Bill 2556. And the bill, having received the required constitutional majority, is declared passed. All right. We're going to move to the Order of Conference Committee Reports, and I would alert Senators Berman, Topinka, Brookins, Joyce and Severns. They're first on the gun. Senator Berman, if you're ready, sir. Madam Secretary, on the Order of Conference Committee Reports, on Supplemental Calendar No. 1, is Senate Bill 10, please.

SECRETARY HAWKER:

First Conference Committee Report to Senate Bill 10.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The First Conference Committee Report on Senate Bill 10 addresses the question that the Supreme Court has presented to us in the one man/one vote controversy involving Chicago school reform. This bill provides for the following posture in electing local school councils in Chicago school reform. It maintains, as we have for the last two years, the ten-member local school council. Those local school council members are, as it has been previously: six parents, two teachers, and two community representatives. The -- because of the Supreme Court ruling -- because of the Supreme Court ruling, where we tried to build in a purposeful advantage to parents and give them six votes in the first go-around, the Supreme Court said that that was unconstitutional, and they voided the entire Act. We passed a bill on January 8th that said that we must fix the voting process

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

by -- by June 30th, and that's what this bill is about. This bill provides that teachers will be voted for by the members of the school staff, and the Board of Education has the right to appoint the two teachers.

PRESIDENT ROCK:

Senator Berman, excuse me. I'm going to ask those in the gallery to please lend us your attention. I'm asking those on the Floor, particularly the staff members, to take the conferences off the Floor. There are conferees meeting all over the building. I'd ask the Members to not have press conferences on the Floor. We are only going to work till midnight. So, let's afford everybody the opportunity to have their say. No. Senator Berman.

SENATOR BERMAN:

All right. Thank you, Mr. President. The two teachers are appointed by the Board of Education after a non-binding vote - advisory vote - by all of the members of the staff of the local school. The remaining eight people - six parents and two community representatives - are going to be elected by everyone within the borders of that school who come to vote, and those people will have five votes to cast for eight members - six parents and two community representatives. The bill also provides that in the high schools in Chicago there has been, for the last two years, a student member of those local school councils. That student is provided a vote on those local school councils, except he or she may not vote on personnel matters. And that student will be appointed, pursuant to a non-binding vote of the student members of that school. This is an outline of the compromise which is represented here. We had a -- we had a so-called summit meeting here approximately ten days ago. The people came down - wonderful, dedicated people. They came in split between a ten-vote model and a three-vote model. The general consensus was that the teachers ought to run like everyone else, and that six

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

votes for a ten-vote model was a -- versus a three-vote model, was a reasonable compromise. This is a compromise from the compromise which provides for five votes to elect eight candidates that are running, plus the two teachers that would be appointed. I would be glad to respond to any questions. Let me point out that the House has accepted this Senate Bill 10 Conference Committee by a vote of 100 to 4 - 100 to 4 - which represents a substantial support in the House by Chicagoans, Downstate Democrats, Chicago Democrats and Republicans, and I solicit your Aye vote on Senate Bill 10.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The Lady from DuPage, Senator Fawell. -- don't want to give it up. Bev? No? The Gentleman from Cook, Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. A question for the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DEL VALLE:

Senator Berman, does Senate Bill 10 contain any provisions that address how the nominating commission is established?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman, please.

SENATOR BERMAN:

This bill does not alter the nominating commission. They were created in the bill two years ago. They were re-created in the vote -- bill of -- in January, and this bill doesn't touch them.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator del Valle.

SENATOR DEL VALLE:

So, for clarification, the nominating commission will continue to be selected from within the subdistricts and by the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

subdistricts.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

That's correct.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any more? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. To the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Please proceed.

SENATOR DEL VALLE:

I know Senator Berman has worked very hard on this bill, but I want everyone to know that many advocacy groups, all the school reform groups that were involved in the School Reform Act - the passage of the School Reform Act - have been involved in this process. And as Senator Berman stated, there were numerous meetings where groups came forth and gave their opinion on how they felt we should change the law in order to deal with the constitutional requirements. Every single school reform that was involved in those meetings agreed to a compromise - a compromise of six votes. Those agreements -- or that agreement was based on the idea of electing ten members of the council, ten members to include the teachers. What this Conference Committee Report does is that it takes out the two teachers from the election process. Senator Berman indicated that in the House there were 110 votes for this Conference Committee Report. Let me say that in the House, in the Floor discussion, it was also stated that every single school reform was in favor of this Conference Committee Report, and that is just not true. There is not one school reform group that I know that is in favor of taking the teachers out of the election process. I question whether this is constitutional.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

I question whether then we'll end up with a situation where we will have to question whether the votes of the two teachers are equal in weight to the votes of the individuals -- the other members that are selected by the entire community. And so I think there are serious flaws with this. I also want, for the record, to say that the School Reform Summit Coalition passed a resolution unanimously endorsing the election of all the members of the local school council. And so therefore, I have to stand in strong opposition to the Conference Committee Report of Senate Bill 10.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Ladies and Gentlemen, I know we just go through with a dinner break, and this is our first conference committee report that we've been moving on - I would like to get the attention of the Body on the debate, please. Is there any further discussion? Please. The Gentleman from Cook, Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I just wish to echo the sentiments of the previous speaker. I'd like to add briefly - the conferees to the School Reform Summit Coalition did have a statement that they distributed to every Member in the Senate. It's a resolution. I'd just like to briefly read a very short part of it. It says, "Whereas, we are therefore adamant in our support of all the endorsed provisions, including the election of teacher members of Chicago's local school councils, as preferred by nine out of ten teachers in the Chicago public schools polled on this issue." And further, they state that, "The teachers shall be elected by parents, community residents and school staff in the same manner as parent and community resident candidates." It's very clear that it's -- it appears that the only people that were part of this compromise were representatives of the Chicago Teachers' Union and the representatives of the Chicago Board of Education. The following groups are among those who are opposed:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

the School Action Coalition, Citywide Coalition for School Reform, the School Board Nominating Commission, Citizen Schools Committee, United Neighborhood Organizations, Taxpayers for Reform and Independent Public Schools, the Civic Federation, Schools First, Designs for Change, the Chicago Urban League, the African-American Education Reform Institute, Parents United for Responsible Education, the Latino Institute - and I could go on and on, Mr. President, but I think it's very clear. I join with Senator Miguel del Valle to urge the Members of the Senate to vote against this Conference Committee Report and ask that Senator Berman and the rest of the conferees come up with one that can be acceptable to the families, the local school councils, and the community residents that have tried to craft this proposition.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President, I would like to ask the sponsor a question or two.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR SAVICKAS:

Senator...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me, Frank. Please, could we have your attention?
Senator Savickas.

SENATOR SAVICKAS:

I guess my question would be geared to the election procedure. It's my understanding that now the Board of Education will conduct these elections for the school councils.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR SAVICKAS:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

I'd like to know what it would cost - the cost involved, and why the Board now is handling it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

This bill does not change what we did two years ago. The Board ran it two years ago, and we have kept it that way.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Savickas.

SENATOR SAVICKAS:

Could you tell me what the cost was?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

I don't know.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Savickas.

SENATOR SAVICKAS:

Well, just talking to different people, I understand the cost was quite substantial. We're talking about a million or so dollars or more - or more. We're having the Board that has no money, that's three hundred and - what - fifteen/twenty/thirty million dollars in debt now is going to have to also conduct elections. I do have a question on our student -- election of our student member of the LSCs. Says this student -- on Page 15, - "shall not be eligible to vote on personnel matters - including, but not limited to, principal evaluations and contracts and the allocation of teaching and staff resources." But also, as a nonelected person, a twelve or thirteen-year-old child will be voting on the expenditure of the school budgets - school budgets - and maybe not on teacher and staff resources, but there are very, very many other items that these school councils do vote in their

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

budgets. Now we also have two teachers that are appointed, and not elected, that will be voting on budgets that do -- do reflect the allocation to teaching and staff resources. I do think this is unconstitutional in those two regards. I would suggest when Senator speaks of one man/one vote, that this does not hold true in this case. There is no one man/one vote here. There is eight people elected and three others that are appointed, and they hold as much voting authority as any elected person. And when we talk about the nominating commission, I wonder - on Pages -- starting on Page 22 and 23 - now we do not elect these community members as we did before; now we appoint them. They are not elected to become on the school nominating commission - they're appointed. So, Senator del Valle, they are changing the nominating clause. They're changing it from having those that serve in the communities elected to it to be appointed, and they specifically remove the word "elected." I think that this -- this particular Conference Committee Report does not meet the criteria that we are looking for to make this a constitutional process. I would suggest we vote against it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Well, I understand and realize that this is a very important matter, since the courts have ruled the election process unconstitutional, and we do have to do something here. But this First Conference Committee Report, very frankly, is not at all what any of the community groups have wanted. I've talked to about five of them today. They are still very adamantly in favor of electing the teachers and not having them be appointed by the Board. In a summary that Senator Berman wrote of the Chicago School Reform Summit that met a couple of weeks ago, it says, "Except for the union representatives, those individuals

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

present unanimously oppose the union position and supported having teachers run for election, just as parent and community members do." Could we have a little quiet, Mr. President?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

I totally agree, Madam. Would you please give the Lady your attention? Please. Please continue.

SENATOR KARPIEL:

Thank you, Mr. President. There's nothing worse than a woman shouting shrilly.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

That's never your case.

SENATOR KARPIEL:

Other than a man shouting shrilly.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Please continue.

SENATOR KARPIEL:

Also, by the way, in the summary - the principal authority over staff - it says, "The group felt that the language contained in Senate Bill 11 regarding a principal's authority over operating engineers and food service personnel was not strong enough." Members of the Senate, these two issues are the biggest issues for the Chicago School Reform this year, and the biggest issues with the LSCs and all the community groups that are involved in Chicago School Reform. They want the teachers elected, and they want the principal to have authority over the schools. I firmly believe that if this bill goes out of here now - this Conference Committee Report is agreed to and goes out of here - we will not see language dealing with the principal authority over the schools. We still have not seen language for Senate Bill 11, in which that amendment was contained, and I think until we do, we should defeat this Conference Committee. I urge you to vote No.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

At that rate, we'll be here probably till January 1st. The Gentleman from Cook, Senator Brookins.

SENATOR BROOKINS:

Thank you...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I, too, would like this opportunity to acknowledge the hard work and commitment that Senator Berman has showed for this work in this report and his meeting with community groups. I also have been meeting with community groups and I am not serving on the Education Committee, but I think that I represent in my district more teachers than any district in the State of Illinois. Seems as though every one of them live in my district. We send more young folks to college from my district - minority - than I would imagine any other district in the State of Illinois, if not the country. So I do have an interest - and a strong interest - in the educational system, the reform system, and this reform bill that we are attempting to pass. In lieu of that, I would say to Senator Berman -- and thank him for meeting the needs of some of the problems that I had with the bill as it was presented. I still have further problems with the bill, and I have asked Senator Berman if we could not correct those problems - and I speak now of the election of the two teachers. I think they too should be elected and stand for elected like the other members of the local school board. And with that, I must ask my colleagues to reject this, because it is not right to have people that are unequal put on the school board, especially with the authority that they will -- they will have. So I urge for a No vote on this piece of legislation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Ladies and Gentlemen, if we cannot get the attention of the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Body, we will have to clear the Floor. I think this is a very important Conference Committee Report. The Gentleman has worked diligently in order to present it to us. There is debate on the matter. I think we should listen to the debate and vote accordingly. The Gentleman from Cook, Senator Marovitz. Please.

SENATOR MAROVITZ:

Senator Berman, I'm sure this came up, but either with the noise or other things going on, I didn't hear it. Let me just ask a couple questions. What is the position of the Chicago Teachers' Union on this Conference Committee Report - on this compromise?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

This Chicago Teachers' Union supports this Conference Committee Report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

What is the position of the Chicago Board of Education on this?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

I don't -- I'm not aware that the Board of Education has taken a position.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Has the City of Chicago taken a position on this?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Well, I have met with the -- with the -- a lobbyist for the City of Chicago, as recently as yesterday. He voiced no opposition to this, and I would think that if the House passed this bill 110 to 1, I think the City is probably in support of this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

That's a pretty fair assumption, I would say. With that roll call, I'd say that's a fair assumption. Have you heard, yourself, from community groups in opposition to this? And -- and tell me the nature of their opposition. Is it the six to five? Is it the -- is it the nonelection -- nonparticipation of the election of the teachers?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman, please.

SENATOR BERMAN:

Well, thank you for your question. The groups that met down here, in the summit of ten days ago, came in - and I think it's fair to say that they were substantially divided. A large number of them - I was going to say half and half, and I -- that's probably a misstatement - but a very large number of them wanted ten votes for ten candidates. A very large number of them came in requesting three votes for ten candidates. There was a proposal that a six-vote compromise be adopted. That was agreed upon by a sixty-percent majority, predicated on ten candidates. And as I said in the report that Senator Karpziel referred to, the overwhelming majority, if not everyone there, wanted ten to run. This compromise - if you want to call it the Berman proposal - was looking at the compromise of six, which is one more than half of ten. My proposal is five votes, which is one more than half of eight. It carries the same message of those numbers. But let me

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

tell you why we have -- and why I have abided by the request of the union and have not abided by the request of the people that were down at the summit, if I might. When we put together the original School Reform Act -- and the way it has operated for the last two years, teachers were there not necessarily to reflect the community at large. You had two community representatives to do that. We purposely made it six parents to represent parents - speak on behalf of their kids. We put two teachers on there to speak on behalf of teachers and other personnel employed in that building. That's a different constituency. And we had two community representatives. The Supreme Court, in its decision, did not say that you could not have six parents, two teachers and two community reps, and the Supreme Court did not say you could not have two teachers elected by school staff. What they did say is that between parents and community reps, those people that walk in to vote had to have an equal vote - not equal representation on the board - and that's the difference that this proposal, I believe, constitutionally reflects. They are different constituencies for the people serving on the board.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

I agree with everything you've said, totally, and that was our agreement. But let me ask you this, just so I understand the concept: Tell me what's wrong - and I'm going to ask you this about three also - what's wrong with -- well, let's say we got eight. What's wrong with having eight members elected and eight votes? I just want to understand the concept, okay? You got eight people elected - what's wrong with having eight votes? And then I'll ask you the same thing about the number three.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

SENATOR BERMAN:

The example that we had at the summit meeting was there was strong and detailed research done by the three-vote advocates and done by the ten-vote advocates. I can go in and give you their -- each of their rationale. The ten-vote people, for the most part, felt that everyone that walks in ought to be able to vote for everyone; that there was no evidence of structured voting that would undermine any of the minority views. The three-vote people felt that there were examples that the community overwhelmed the parents, and they felt that the best way to protect the parents was through a three-vote model. Now they both felt very strongly about those rationale, and yet sixty percent compromised off of the three and off of the ten. Now I can tell you this - and I have worked on this long and detailed - there isn't a...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me, Senator Berman. Please continue.

SENATOR BERMAN:

There isn't a proposal -- you pick a number and you pick a process, and there will be differences of opinion. These are great people who came down here. They have their own lobbying goal, and I understand it, but the teachers on those boards serve a different purpose.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Just to close.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Your time is just about concluded.

SENATOR MAROVITZ:

Okay. Last question, just to close. The concern of parents were that the community, with too many votes - with ten votes, let's say - might overwhelm the parents? Fine.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Jeremiah Joyce. Senator Joyce.

SENATOR J.E. JOYCE:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR J.E. JOYCE:

Senator Berman, you indicated that you met with the lobbyist from the City of Chicago with respect to this. Is that correct, or did you meet with him to talk about something else?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

No, sir, he was in our meeting yesterday.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.E. JOYCE:

Looking through this Conference Committee Report, I don't see anything on the school engineers. Is there something in this report on the school engineers?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

No. The engineers are not an issue in this bill. This is just a voting model for elections of local school councils. Senate Bill 11, which is not in a conference committee report, addressed, or will address, those issues.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce. Gentleman from McLean, Senator Maitland. Ladies and Gentlemen, please. Thank you. Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senator Berman, I can't -- I can't see you. I just wanted to set the record straight. I was listening to your conversation with Senator Marovitz, and I -- I think perhaps some were confused, on this side of the aisle, with respect to -- to, perhaps, the issue. Always there was much debate on the number of votes - without question, and the groups that were here were all over the place on that. But with respect -- with respect to the election of the teachers, there was no disagreement. They were all in favor of electing the teachers. And I think perhaps the discussion, perhaps, confused the issue over here a little bit. I just wanted to make that -- that clear for the record.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman. Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR FAWELL:

Senator Berman, I had a couple of Chicago Teachers' Union's representatives - who happen to live in my district - come and talk to me while they were down here visiting over the Session. And one of the things that they mentioned to me was this idea of electing teachers. Now, I note, according to our Conference Report, that indeed the teachers can be elected by their peers, but that doesn't necessarily mean that they're the ones that are going to be appointed; that this is merely an advisory - an advisory - election, and that the School Board, at that point, can appoint anybody they darn well please. And that was the one thing that the union representative that I talked to wanted to make sure did not happen; that if indeed a teacher was elected, that that teacher would be the one to represent them, and that some other

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

board would not be able to step in and appoint someone else. Can you tell me if that is true - if our conference analysis is true or not?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Okay. Senator Fawell...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Yes, Senator Berman.

SENATOR BERMAN:

Senator Fawell, the -- I held in my hand -- I have in my hand a letter from the Chicago Teachers' Union which supports unequivocally the process built into Senate Bill 10. Now let me explain to you that because of the technical requirements regarding elections and appointments, the teachers who are selected by a vote of their peers - all of the employees in that school building - that election alone cannot legally guarantee that they be seated on the local school council. The technical requirement is that there must be some appropriate appointing authority. In this bill, and in concurrence with the Teachers' Union request, the Board of Education has the prerogative - the unbridled prerogative - of naming two. Now they had that two years ago -- no, I'm sorry - they did not have that two years ago. There is no -- no fears that the Board, although they have the power to not follow the vote, will, in fact, follow the vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

Well, to the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Proceed.

SENATOR FAWELL:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

The union representative that I talked to said that exact same thing did indeed happen into -- in her school; that the -- that the member who was appointed to the council then threatened them with their jobs. And I am telling you, I think this is a poorly written bill. I think that we should go along with the idea that -- what the neighborhood groups have said in the past. You may hold a letter from the -- the high officials in the unions, but I have talked to some of the members, and this is not what they want. I think this is a bad idea. I think we ought to send it back to conference, and give the people what they are justly entitled to.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Collins. The Lady from Cook, Senator Collins.

SENATOR COLLINS:

Senator Berman... Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR COLLINS:

Senator Berman, can you tell me what are we doing -- or why are you, rather - the sponsor of this bill - at this late hour fighting so hard against an agreement that were made in a conference -- in a committee of those who are actively involved with this process who came down here and hopefully reached a compromise on some areas that they wanted to be included in this bill? Tell me, what would be the difference between the teachers being elected along with everyone else, or going through this complicated procedure that you are explaining and seemed if no one else understand?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

First of all, I think everyone understands it. Secondly, I will suggest to you - and I hope you're listening to me - that the members who are put on the local school council have a certain constituency. We wanted, when we drafted the original bill - and that purpose is still valid today - that we wanted members of the local school council to voice a view for a constituency. And that's why we provided a majority of six people who are parents. They are speaking on behalf of their children. We wanted someone to speak on behalf of the administration of that school. That's why we put on a principal, and the principal is still there. We wanted someone to speak on behalf of the community who is not a parent, who is not a teacher...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me, Senator Berman. Senator Collins, what's your point of order?

SENATOR COLLINS:

My point is that I would appreciate it if Senator Berman will answer my question, because everyone, whether they understand it or not -- all of these questions this late debating on this issue, someone must not understand it or something is seriously wrong. Now I want you to answer the question. What is the difference between electing the teachers along with everyone else, and why are you fighting so hard for that to do it another way? Why?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Because I think that the teachers on the local school council are there to represent the people who are employed - employed - in that school building. They have done an overwhelmingly good job. Out of the six hundred LSCs, there are very few examples of poor representation by those teachers. They were selected by their peers two years ago. I think there's nothing broken; I don't want

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

to fix it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

We've been on this Conference Committee Report for an hour now. Senator Collins.

SENATOR COLLINS:

No, no. I want to ask one more question.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

One more question.

SENATOR COLLINS:

Senator Berman, Senator Berman -- and the reason I'm doing this is because that's why we here right now with no budget and all of the problems that we have - because people are losing faith in this whole process. Now we had a good process working here with people involved. I was told that everybody was in -- not everybody in agreement, but the majority of people representing in this group were on board with this thing. And I asked, and I had to consult with the people who were involved with this portion. I have not been working with this portion of the education. I've been actively involved in seeking -- trying to get some more money for that system; because, without money, all this is a crock of -- anyway. But anyway, Senator Berman, I guess what I'm trying to say to you is, why don't you just redo another conference committee report and let's get about the business. There is no difference between the constituency that the teachers represent - they represent the administration - and the parent represent the children in the school. No different. So let's try and take the thing out and put the teachers in there and move on about the business.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Rock.

SENATOR ROCK:

Thank you. I would move the previous question, but I would

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

also point out that this exact identical Conference Committee Report passed the House of Representatives 110 to 1 - 110 to 1. Let's move on.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman, to close.

SENATOR BERMAN:

Thank you. Senator Collins, I see your signature on this Conference Committee Report. Okay. I just wanted to note that for the record. Secondly, I won't go into all of the debate that we have stated. Ladies and Gentlemen, the people that would like the teachers not to run have a different set of priorities. They're not bad priorities. They are good priorities. But they have a different frame of focus than do the employees in that building. School reform has moved forward, I think, well in the past two years. This part of reform is not broken. The Supreme Court said -- did not say we could not do this. The teachers have well-represented themselves, other employees, and it has worked well in virtually - virtually - every school, virtually every school. If it ain't broke, don't fix it. This bill doesn't try to tamper with something that ain't broke. It passed the House 110 to 1. The hour is now 9:30. I'm not sure we will get back for a Second Conference Committee Report. If this goes down, I will do my best. But, Ladies and Gentlemen, Chicago Reform has done superbly well for the children of Chicago for the past two years. I ask for your commitment by an Aye vote to continue that commitment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 10. 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 22 Ayes, 34 Nays, 1 recorded as Present. And the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Conference Committee Report is not adopted, and the Secretary shall so inform the House. Senate Bill 539. Senator Topinka. Excuse me. The Gentleman from Cook, Senator Dudycz. What purpose you seek recognition?

SENATOR DUDYCH:

Thank you, Mr. President. Just on a point of personal privilege. I would like to note that with the Senate defeat of Conference Committee Report No. 1 to Senate Bill 10, specifically with the vote of 22 to 34 and 1, the sponsor and the next conferee -- the conferees take heed in their work on Conference Committee Report No. 2 not to return with a clone of this Conference Committee Report without facing a similar vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Out of order. Senator Topinka. Read the bill, Madam Secretary. I mean, read the Conference Committee Report. Senate Bill 539.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 539.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Cook, Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I would ask that we concur with Conference Committee Report No. 1 to Senate Bill 539. All this does is provides a technical amendment to correct an incorrect date. And everyone is in agreement. I don't think there's anybody in opposition.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 539. 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 59 Ayes, no Nays, none recorded as Present.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

The Senate does adopt the Conference Committee Report on Senate Bill 539. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 1016. The Conference Committee Report on Senate Bill 1016. Senator Brookins. Read the report, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1016.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This Conference Committee seeks to enhance the financial management capability of the RTA by providing the RTA with the authority to use the rate protection contract to manage its financial exposure. Instability in interest rates affect the ability of the RTA to manage its financial position effectively. As raises of price environment, the RTA could pay higher debt service costs than anticipated in this budget. Rate protection contracts would provide the means of the RTA to lower its exposure to interest rates instability to allow different perceptions of RTA risk. These financial instruments can be used to lock its fixed rate in anticipation of increases. Interest rate instruments are already used by the Illinois Housing Development Authority, the Port Authority of New York/New Jersey, the Metropolitan Transit Authority in New York, and several other public agencies. The report is consistent with the RTA statute mandate as the financial and planning oversight agency for public transit, and provides the Authority with the means to effectively manage the bonding authority granted by State law. The use of this authority would not be used automatically or arbitrarily. It would, in fact, require the approval of the RTA Board which, due to the composure, could be expected to exercise discretion in applying its use. The report has also raised the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

noncompetitive bid limit from five thousand to ten thousand. An inflation fraction has been applied to this limit since the passage of the RTA Act. The original five thousand threshold would now be about ten thousand. Also, many vendors find it uneconomical to bid on contracts of less than ten thousand because of the time and exposure of preparing the paperwork. The CTA Acts already incorporate this limit, and it is only a matter of simple equity that the same bid limits be accorded the RTA, METRA and PACE. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1016. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Thank you. Please take the record. On this question, there are 55 Ayes, no Nays, 1 recorded as Present. And the Senate does adopt the Conference Committee Report on Senate Bill 1016. This bill, having received the constitutional majority, is hereby declared passed. 1634 <sic> (1364). Senator Joyce. Senate Bill 1634, the Conference Committee Report. Read the report, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1364.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Kankakee, Senator Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. 1364 is now the ethanol bill, the compromise that we have reached with all parties concerned. It is after much wailing and gnashing of teeth and all kinds of debate, we have come to an agreement. The Farm Bureau supports, the corn growers support, the ethanol producers support, the oil producers have withdrawn their opposition. To explain it, in the calendar

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

year -- well, first of all, the ethanol producers have to meet certain goals to be eligible for the tax incentive they get currently. 1992, it goes -- it's at 275 -- 2.75; '93, 3. -- okay.

And -- you're confusing me here.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion?

SENATOR J.J. JOYCE:

Anyway, here's a statement of intent for the purpose of clarification, legislative intent. "Nothing in Conference Committee Report No. 1 of Senate Bill 1364 constitutes any type of mandate requiring any distributor of motor fuel to offer for sale a mixture of gasoline and ethanol, commonly known as gasohol. As is, the Illinois Petroleum Council no longer opposes and all opposition is removed. Signed, David Sykuta." I'd be happy to answer any questions or have a roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Gentleman from DuPage -- Lady from DuPage, Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. May I ask the sponsor a question, please?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR KARPIEL:

Senator Joyce, you said that the oil producers have withdrawn any opposition. Could you tell me why?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

Well, there's probably a couple of reasons. First reason, after much negotiation, I think that they could see the handwriting on the wall, and also we have made several

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

concessions. It is not a mandate now, as I just read that statement of legislative intent. It sets goals that the ethanol producers must meet to gain the tax incentive that they get, and the petroleum people have withdrawn their opposition.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpziel.

SENATOR KARPIEL:

Could you tell me, what is the year by which these goals have to be achieved under the bill as - the Conference Committee Report?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

All right. 1992, they're at 2.75. That's current. '93/3.0; '94/3.2; and then in 1995 it goes to 4; and '96/4.6; and then '97 it would be 5. That would be one-half.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, to the bill, and I guess a question of the sponsor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR SAVICKAS:

We're talking about a gasohol exemption, obviously, with these prices - two cents a gallon and then it goes up. What does this cost the State in revenue?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

The State currently, with the incentive that is on, it's twenty-one million; costs locals five million. The gain that is

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

brought in from sales and people employed and so forth is between thirty million and sixty million.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Savickas.

SENATOR SAVICKAS:

No, I guess what I'm -- with the incentive, what does it cost us? Are you telling me it costs the State twenty-one million dollars? What does the State lose by giving this rebate?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

This is currently. This has been since 1990. It's just the same practice. You're actually not losing anything. This is what is currently the law.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Savickas.

SENATOR SAVICKAS:

Well, I guess the question I think we should all ask ourselves, that if we're not losing and we're just extending - this sounds like we're extending a tax break of twenty-one - maybe thirty-one - million dollars to this company. And if we're not recouping at least that in some other taxes or some other source of revenue, then why would we continue to proceed with this exemption when we need this money? So, is this bringing in more --more tax money than we are expending, I guess the final question is, and I would like to base my support on that answer.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

Thank you. I will read from this: "Given the nine hundred, ninety-four million dollars worth of economic activity, it is estimated that the resulting tax revenue is between 29.8 million

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

and 59.6 million to the State of Illinois."

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Could we have your attention, please? The noise level is rather loud here. The Gentleman from Edgar, Senator Woodyard.

SENATOR WOODYARD:

Thank you -- Thank you, Mr. President and Members of the Senate. I rise in support of the Conference Committee on 1364. And in answer to the economic impact, Senator Joyce is exactly correct. As long as this incentive or subsidy is there and the goals are met, the State is not capturing about twenty-one million dollars. But as nearly as we can tell, with the jobs created in the ethanol industry, nearly five thousand of those jobs with an additional six thousand farmers involved with providing the corn and so on for the ethanol industry, it's estimated that that brings into the State approximately sixty million dollars. So it's a pretty darn good tradeoff for us, and it certainly will move us more in the area of the Clean Air Act, in compliance. And I -- and Senator Joyce, I really want to congratulate and commend you. I don't -- I don't think I could have put up with what you've gone through in the past few weeks in putting these various diverse groups together. You did a whale of a job, and I encourage support for this.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Gentleman from Cook, Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DeANGELIS:

Senator Joyce, is the Department of Transportation in favor of this bill?

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

They haven't come to me. I have no idea if they're in favor or not.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Is the Department of Revenue in favor of this bill?

PRESIDENT ROCK:

Senator Joyce.

SENATOR J.J. JOYCE:

I have no idea.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

Well, it would appear from the discussion that everybody's in favor of this bill, but I do believe there are some opponents to it.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, very briefly - this is a good bill. It's a step in the right direction. Ethanol alcohol, for heaven's sakes, you can make it out of garbage, so you can get rid of landfills. Let's encourage this bill. I vote for it.

PRESIDENT ROCK:

Senator Joyce, to close.

SENATOR J.J. JOYCE:

Thank you, Mr. President. It would be of great benefit, I believe, for the State of Illinois, and I'd ask for your favorable

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

consideration.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on House -- Senate Bill 1364. Those in favor will vote Aye. Opposed vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 11 Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1364. And the bill, having received the required constitutional majority, is declared passed. On the Order of Conference Committee Reports, Supplemental Senate Calendar No. 1, is Senate Bill 1451. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1451.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This is the same bill that...

PRESIDENT ROCK:

Can we keep the noise level down to a mild roar? Thank you. Senator Severns.

SENATOR SEVERNS:

This bill affects the City of Springfield and the County of Sangamon only. The amendment that we've concurred in removed Peoria and Peoria County. It, in essence, says since Springfield is paying the bulk of the cost for 9-1-1, they should also be included on the 9-1-1 Board. Mayor Langfelder would not be here with this bill, except that they've not provided him the ability to make any kind of appointments on the Board. This bill would give him that opportunity. In fact, since they pay the majority of the costs, give a one-vote margin. I would urge adoption of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

this bill. I'll be happy to answer any questions.

PRESIDENT ROCK:

Discussion on the Conference Committee Report? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and Members of the Senate, we debated this bill a couple of days ago. It hasn't got any better. This is strictly a territorial fight between the Mayor and the Sheriff. 9-1-1 is in place. It's in the County Building. It's been under the Sheriff's Office since its inception - something like four or five years now. This would come about -- if this would become law, you are saying to those people of Sangamon County who live in Springfield, who are represented on the County Board by elected people from the City of Springfield, they don't have any jurisdiction. Now, that's a lot of hogwash. The people from Sangamon County who are on the County Board make up the majority of the County Board. There is nine people on that Advisory Committee from all parts of the County. The City of Springfield or the people residing in Springfield are well represented. This is a smokescreen and this is strictly a territorial, jurisdictional fight that the Mayor has suddenly decided he wants to try to take control of something which he hasn't any right to do. I urge all of you to vote No. It didn't pass the other day. It should not pass tonight. I urge everyone to vote No.

PRESIDENT ROCK:

Further discussion? Senator Severns, to close.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. It's simply a matter of equity here, and this bill wouldn't be in the Legislature except for the fact that that equity has not been provided. It's not the first territorial fight that has been discussed in this Body. It will not be the last. The simple

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

reality is, the City of Springfield and County of Sangamon has a -- has an excellent 9-1-1 system, except for the fact that the County has decided to exclude the City in representation on the Board. The City picks up the bulk of the bill. They ought to have representation on the Board. That's the intent of this bill. And I would urge a favorable vote.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1451. 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 31 Ayes, 26 Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1451. And the bill, having received the required constitutional majority, is declared passed. Senator Davidson, for what purpose do you arise, sir?

SENATOR DAVIDSON:

Verification of the Aye votes.

PRESIDENT ROCK:

That request is in order. Senator Davidson has requested a verification. Will the Members please be in their seats? Madam Secretary, please read the affirmative roll.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, Daley, D'Arco, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Leverenz, Luft, Marovitz, O'Daniel, Palmer, Rea, Savickas, Severns, Smith, Vadalabene, Welch and Mr. President.

PRESIDENT ROCK:

Senator Davidson, you question the presence of any Member?

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

SENATOR DAVIDSON:

Senator Collins.

PRESIDENT ROCK:

Senator Collins on the Floor? Seated in front of you, Doc.

SENATOR DAVIDSON:

Senator D'Arco.

PRESIDENT ROCK:

Senator D'Arco is in the Chamber.

SENATOR DAVIDSON:

Senator Berman.

PRESIDENT ROCK:

Senator Berman on the Floor? Senator Berman on the Floor?
Yes, Senator Berman is in the Chamber.

SENATOR DAVIDSON:

Senator Marovitz.

PRESIDENT ROCK:

Senator Marovitz is in the Chamber, in the back in the well.
All right. The roll's been verified. On that question, there are
31 Ayes, 26 Nays, none voting Present. Senate does adopt the
Conference Committee Report on Senate Bill 1451. And the bill,
having received the required constitutional majority, is declared
passed. All right. Ladies and Gentlemen, moving right along,
we're on Supplemental No. 2. Yes. ...(machine cutoff)...would
call attention to the Members, Supplemental Calendar No. 2, so
that the Members are prepared and the Members can find the
conference committee reports. The paper's starting to build up.
Senators Mahar, Marovitz, Kelly, Smith, Savickas, Berman, Jacobs,
Demuzio, Cullerton and Berman.

END OF TAPE

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

TAPE 4

PRESIDENT ROCK:

Senator Mahar, are you ready to go? All right. Ladies and Gentlemen, we are on Supplemental Calendar No. 2. I'd ask you to please keep the noise down, so that the Members can address their proposal. The Conference Committee Report on House Bill 516, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 516.

PRESIDENT ROCK:

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and Members. The original portion of 516 remains the same, and that was to create a local tax reimbursement fund. The House sponsor has added two provisions: first, that no taxing district may maintain an excess balance in any fund which exceeds two hundred percent of the annual average of the prior three years' expenditures from that fund; and secondly, that any taxing district may maintain a minimal allowable unreserved fund balance of no more than a hundred and ten percent of the annual average of the prior three years' expenditures from that fund. I am told this language was drafted by the Taxpayers' Federation of Illinois and Comptroller Netsch, and I would answer any questions, or move its adoption.

PRESIDENT ROCK:

Discussion? Any discussion? Can I ask the Governor's liaison to move the conferences off the Floor? We've trying to afford the Members an opportunity to be heard. Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. A parliamentary inquiry, please.

PRESIDENT ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

State your inquiry.

SENATOR BUTLER:

Does this bill preempt home rule?

PRESIDENT ROCK:

Senator Mahar.

SENATOR MAHAR:

Yes, it does.

PRESIDENT ROCK:

Senator Butler.

SENATOR BUTLER:

Then it is my understanding we need an extraordinary total.

PRESIDENT ROCK:

That is correct.

SENATOR BUTLER:

Thank you.

PRESIDENT ROCK:

Senator Mahar.

SENATOR MAHAR:

Mr. President, I was just advised by Senator Luft that Chicago is -- apparently has some concerns about the bill, so I will pull it from the record.

PRESIDENT ROCK:

Senator Luft is speaking for Chicago - that's good, I like that. All right. Hey, listen. I'll tell you what - I didn't think the lines went that far, but I didn't -- maybe -- you know. 1007. Senator Marovitz. 1024. Senator Kelly. Madam Secretary, on the Order of Conference Committee Reports is House Bill 1024.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1024.

PRESIDENT ROCK:

Senator Kelly.

SENATOR KELLY:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Thank you, Mr. President and Members of the Senate. I move to concur in Conference Committee Report No. 1 on House Bill 1024. The bill initially required students to be employed at least thirty-five hours a week by an entity located -- by a business located within the district in order to be eligible for an out-of-district tuition waiver. The Senate amendment, which was offered by Senator Carroll and Senator Butler, allows that this would also apply to contract students under contracts. And that's about it, and I'd move for concurrence.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1024. Those in favor, vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 1024, and the bill, having received the required constitutional majority, is declared passed. 1128. Senator Smith. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1128.

PRESIDENT ROCK:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1128, from conference committee, concurs with Senate Amendment No. 1. It is a technical amendment which corrects drafting errors. The House concurred in Senate Amendment No. 1 and the bill is further amended to declare that the presence of a controlled substance in the blood or urine of a newborn infant during birth is not admissible as evidence in any criminal prosecution of the mother for an offense against the person of the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

newborn infant. Deletes the provision of the bill which amends the Abused and Neglected Child Reporting Act to address the issue of temporary protective custody of a newborn infant solely for the reason that the infant's blood or urine contain amounts of a controlled substance, and a prohibition against certain personnel from giving evidence to any law enforcement personnel that a newborn infant has been considered neglected because of the existence of a controlled substance in the infant's blood or urine. I ask for your approval, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

A question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

I thank you. Senator Smith, why are we proposing to take this step?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

The main purpose, Senator Barkhausen, on this is that we want to treat this as a health aid and cure to the person rather than a criminal offense.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, Mr. President, that may in fact be the proper approach, but I'm not sure as a matter of public policy why a prosecutor should, in every case - particularly in the most extreme kinds of circumstances - why -- why a prosecutor should necessarily be precluded under all circumstances from prosecuting a -- a mother

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

who goes to extremes to abuse a newborn infant. In those situations, Senator Smith, why -- why do we want to do this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

We want to keep the mother from going underground, so that she will get protection; otherwise, she would never come into a hospital, she would never come to a doctor. What we want to do - that when she is affected, if she is affected, that when -- she will feel free to come into the hospital and receive care -- a cure -- that addiction is not a crime - it's a sickness with a person. And we want to heal them so that they can go home and take care of their babies; that's why we want to do this. If we can get to them and help them and cure them of their disease, then we will have more tax-paying citizens in the future.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, Senator Smith, I have no argument against trying to -- trying to treat and cure people of -- of their habit. Can you tell me -- I'm only aware of the publicity which was fairly widespread over the prosecution of a mother out in Rockford. Are you aware otherwise whether prosecutions of mothers under these circumstances is -- has been commonplace?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Senator Barkhausen. That's not a -- a general run of persons' actions. That was just one isolated case.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

But is this Conference Committee Report that we're seeing now -- is it in response to that case out in Rockford, or have there been numerous prosecutions for this type of offense?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

No, it is not. As a result of this legislation, we hope that we will be able to go full swing in helping mothers who are addicted by giving them the proper care.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? There's about eight lights on. Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, just very quickly to the bill, Mr. President, without passing judgment as to whether in certain situations, mothers ought to be subject to prosecution for extreme abuse of unborn or newborn infants as a result of overindulgence or -- in drugs or perhaps even in alcohol. I just question whether -- whether we should be limiting completely prosecutorial discretion in this way. And under these circumstances and at this hour, I -- I think that the proper vote on this Conference Committee Report is a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me. Pardon me. Senator del Valle. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. A couple of years ago - well, last year, I believe it was - I was asked to introduce legislation to prosecute mothers who are of addicted babies, cocaine babies, and

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

I don't know - I just didn't feel right about it. I didn't think that was what should be done. And I guess I don't feel like giving -- taking away the right to allow evidence, in effect, to prosecute a mother who is a mother of a cocaine baby - who's an addict. And I -- I really don't think that -- that we need a law to -- to do this. Society, in general, thinks we should be doing something to stop addictions and certainly mothers who are having addicted babies, and it seems like we shouldn't do this - at least in my opinion at this time - and I will vote against this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Take it out of the record, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Take it out of the record. House Bill 2149. Senator Savickas. I'm sorry. Senator Smith. Senator Smith.

SENATOR SMITH:

Yes, I'd like to run the -- the piece of legislation. Please, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith, I've taken it out -- I've taken it out of the record.

SENATOR SMITH:

No. Please, sir. No. Please. Please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further -- all right. House Bill 1128. Read the bill, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1128.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Topinka.

SENATOR TOPINKA:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Well, Mr. President and Ladies and Gentlemen of the Senate, I appreciate what -- what Senator Smith is trying to do, and I know that she and her staff and everybody else has been working on this quite a bit, but it would seem that - and maybe Senator Smith can enlighten me on this - that although we are trying to help the mother as much as we can, we're still allowing neglect to go on in terms of the newborn child. And if this indeed does that, neglect is neglect is neglect, under any and all circumstances. Could you assure me that this bill would somehow prevent neglect from occurring and that this child would now find some other recourse?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

Like to refer my statement to Senator D'Arco, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Hello. Mr. President, this has nothing do to with filing a neglect petition or a child abuse petition. If this mother is neglectful, then the DCFS can petition the court to remove this child from the mother's custody. If this mother is abusing this child, DCFS can petition the court under a child abuse petition. That's not the issue we're talking about. That's not what this is all about. What we're saying is, we have a mother who is addicted to drugs and the baby, unfortunately, winds up in a bad situation because of the mother's addiction. What we want to do with these mothers is get them into prenatal care, so that they can be weaned off of drugs and when the baby is born we have a healthy, viable child that can be nurtured into a productive citizen in our society. If we tell the mother, "If you're on drugs and you have a baby, we're going to prosecute you for voluntary manslaughter or delivery of drugs to a minor, through the umbilical cord," we are

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

sending that mother the wrong message and she will not go in for prenatal care to try to help produce a child that doesn't have any symptoms of addiction. That's what this is all about. In Florida, the State's Attorney prosecuted a mother and the mother was convicted - was convicted - of involuntary manslaughter, and it was upheld on appeal. Now how, in God's name, the requisite intent for involuntary manslaughter could exist in this type of situation is beyond reason. And we want to prevent that from happening in Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator D'Arco, can you bring your remarks to a close?

SENATOR D'ARCO:

I think I just did.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Good. Thanks. Further discussion? Senator Raica.

SENATOR RAICA:

First of all, Mr. President, a question. The last couple of days if we blew a bill or someone took it out of the record, we had to go to Motions in Writing, and we're changing that now. Is that going to be the main thing for the next couple hours?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No. No. Not on -- not when we take them out of the record.

SENATOR RAICA:

Okay. Then I guess I have a question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator Smith, can you tell me, do you have any statistics to show how many mothers that have delivered cocaine babies...

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR RAICA:

Wait. I'm not through -- delivered cocaine babies, actually go back to using cocaine after the baby is delivered?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

I do not have that -- no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Senator Smith, can you tell me - the mothers that are afforded the opportunity now to be weaned off the cocaine, how many of these mothers actually go through the program versus how many of those that don't return to the program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

As far as I can understand, and from my visit to Maryville, of the -- a good deal of the mothers who are addicted are -- and have introduced themselves into the program, they are still - the majority of them - are still a part of the program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce. Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President, my question would be of Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Savickas.

SENATOR SAVICKAS:

Senator, you indicated that in Florida a woman got convicted

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

of manslaughter because the baby died -- because the baby died from her using of drugs?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Yes, that's true.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

And this bill would prohibit prosecuting that woman or any woman that uses drugs and the baby dies from that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

What the bill says is that you can't, in -- in a prosecution of a woman for involuntary manslaughter or possession of a controlled substance - I mean delivery of a controlled substance to a minor - you can't introduce as evidence the toxicology test that is conducted on the infant when it is born. That's not prohibiting a prosecutor from prosecuting somebody for this particular offense. In my opinion, there's nothing in the Statute that addresses this kind of conduct today. And the prosecutors are trying to pigeonhole this kind of conduct into a Statute that is not designed for it. And we're telling the prosecutor, don't indict these women. We've got to try to help them get off of drugs. Indicting them isn't going to solve their problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell. All right. Senator Savickas.

SENATOR SAVICKAS:

I guess that's the dilemma I'm in. I agree with the concept of what you're saying, I -- and I guess from what you've just

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

said, that they can still prosecute in this type of situation. Where the baby is born dead, they can't prosecute that mother. This would protect those mothers from criminal prosecution of -- if the babies are alive or -- and there's no problem, they would not have this criminal problem. But in those other cases, even with this bill, that mother can be prosecuted for the death of that child. Is that -- is that what I'm getting at, I guess.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

No. We're not saying that the prosecutor can't prosecute the mother. I mean, if they want to, they can still prosecute the mother. They can't use -- the presence of a controlled substance of urine or -- in the baby is not admissible as evidence. In other words, they do a test on the infant to determine if there's a controlled substance in the -- in the infant. And that evidence can't be admissible in a prosecution. We're trying to say to the prosecutor - that's not the arena to solve this problem. The arena is prenatal care for the mother in order to try to wean her off of this addiction, unfortunately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much, Mr. President. Last year, or maybe it was the year before, my State's Attorney came to me and had a bill that indeed said that if a mother was addicted to cocaine, that the state's attorney had the right to go in and take that child away until such time as that mother was proven that she was no longer addicted. He came to me with that bill because we had a very tragic situation that happened, where a women who was addicted to cocaine came home with a child and was free-basing and was, frankly, out of her mind, and accidentally caught the crib on

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

fire and didn't even realize the child was in it. Now I understand what you are trying to do, Senator Smith, by making sure that these women are not prosecuted, and that's the reason he said in his bill, "Don't prosecute these women." But you've also got in this bill that the law enforcement agencies don't have the right to even know... They do now have the right to know? And they do have the right to take the child? So all you're talking about is just not prosecuting. The rest of it is out?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Smith may close.

SENATOR SMITH:

Thank you. Thank you...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon. Oh, I beg your pardon.

SENATOR SMITH:

Thank you, Mr. President, and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I beg your pardon, Senator Smith... Senator Macdonald had her light on. Senator Macdonald.

SENATOR MACDONALD:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates she will yield. Senator Macdonald.

SENATOR MACDONALD:

Senator Smith, you mentioned Maryville in your debate. Father Smythe is doing some very remarkable work with cocaine babies. Do they -- have they provided you with any statistics about the care of cocaine mothers and babies?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith.

SENATOR SMITH:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

The last time I was there, I may have received some statistics, but it has been quite some time, and I may not remember that now, but I do know that the report that he gave to us in general - it was favorable; that the mothers -- that they are working with the mothers. They have women who are -- are working there, that brings these women in, and they work with them every day. And the report seems favorable.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. There are a number of people who are volunteers from my district that do a great deal of work with Father Smythe and cocaine babies. And as Senator D'Arco has explained the bill, along with Senator Smith, I think that I would rise in support of this bill and ask for your approval of -- of final concurrence with this particular Conference Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith may close.

SENATOR SMITH:

Thank you. I merely say, please, a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Question is, shall the Senate adopt the First Conference Committee Report on House Bill 1128. 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 22, the Nays are 33, none voting Present. The Senate does not adopt the First Conference Committee Report. Senator Smith. Postponed Consideration. House Bill 2149. Senator Savickas. I'm sorry, Senator Smith.

SENATOR SMITH:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Second Conference Committee, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Which is it, you want to postpone, or Second Conference?

SENATOR SMITH:

No, sir. I would like to have a Second Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. All right. Second Conference Committee; the motion failed. House Bill 2149. Senator Savickas. Madam Secretary, House Bill 2149.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2149.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President and Members of the Senate, basically House Bill 2149, and the Senate amendment, would change the State Mandates Board of Appeals to the State Mandates Board of Review to hear the appeals from local governments, and it permits the Board to request the Legislative Audit Commission to direct the Auditor General to audit the records. The agency responsible for distributing those funds shall direct -- control -- disburse the funds subject to available appropriation. And the amendment -- would mandate the Board of Review would be controlled by the Governor, with three of five appointments; the other two are by the Comptroller, and all appointments would require the advice and consent of the Senate. And funds disbursed for mandates are subject to available appropriation. I would move your concurrence with this Committee Report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? If not, the question is, shall the Senate adopt the First Conference Committee Report on House Bill 2149. Those in favor will vote Aye. Those opposed, Nay. The

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

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 58, the Nays are 1, 1 voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2149, and the bill, having received the required constitutional majority, is declared passed. House Bill 2208. Senator Berman. House Bill 2417. Senator Jacobs. House Bill 2417, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2417.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President and Members of the Senate. I ask for adoption of Conference Committee Report on House Bill 2417. This bill directs that the municipal utility tax be collected from coin telephone revenues, and addresses the problems resulting from a recent court decision that said the previous method of collection was not proper. When this bill came before the -- the House over there, there was some objections in regards to maintaining for two years a subsidy of coin phone taxes by residents. That's been cleared up. And the Attorney General's Office had some problems. That's been cleared up. The coin operators, Independent Coin Phone Association, had some problems. They're now neutral. The City of Chicago supports the bill. I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? If not, the question is, shall the Senate adopt the First -- I'm sorry, the Second <sic> Conference Committee Report on House Bill 2417. 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 53, the Nays are 2, 4 voting

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Present. The Senate does adopt the First -- I'm sorry, the Second <sic> Conference Committee Report on House Bill 2417, and the bill, having received the required constitutional majority, is declared passed. Is there leave to come back to 325? Leave is granted. Senate Bill 678. Senator Cullerton. Madam Secretary, 6-7-8. Read the bill.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 6-7-8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. I move that we adopt the First Conference Committee Report on Senate Bill 678. Has two things: the first part is the same language that was contained in Senate Bill 461, which passed the Senate. And the second part of this Conference Committee is some language dealing with the water reclamation district with regard to determining the responsibility of any bidder, what the purchasing agent may take into account, and it simply adds that they can take into account whether the equipment or material is manufactured in the United States. It's not very strong, but it's -- was requested by the water reclamation district, and for that reason, I think it's okay, and happy to answer any questions, and move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Discussion? Senator Fawell.

SENATOR FAWELL;

Thank -- thank you very much. I think if -- if you will note on the back of this Conference Report, there is not one single Republican that has signed it. We discussed this bill in caucus; if those of us on this side remember, we were talking about it. It does include that the Metropolitan Sanitary District should be

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

looking at equipment or material that is manufactured in the United States. It also gives a salary increase from twelve thousand five hundred dollars to fifteen thousand dollars to the trustees, and it also gives a seventeen thousand five hundred dollar salary increase to the chairman. I don't think this is a good idea at this point, when all the governments are -- are obviously in trouble. We don't know how much of the surtax we're going to be able to give the local governments. I would strongly suggest that we vote No.

PRESIDENT ROCK:

You'll have an opportunity to close. Further discussion? Senator Cullerton, to close.

SENATOR CULLERTON:

Yes. In all due respect, Representative Fawell, I think that you are talking, first of all, about two different bills. Senator Fawell, I'm sure you did not talk about this bill in your conference -- in your caucus. I think you might be talking about the buy-America, or buy-Illinois bill. This is not it. This is language that says if you're a purchasing agent, you ought to take into account the fact that the equipment is manufactured in the United States. Okay? And with regard to what you described as a salary increase - a seventeen-thousand-dollar salary increase - that's not true; that this is simply a -- an increase in the -- what could be the salary from fifteen thousand to seventeen thousand five hundred, and I would remind you this language already passed on Senate Bill 461, with a vote of 50 to 9. So I suggest that you are probably talking about a different bill, and I would urge an Aye vote.

PRESIDENT ROCK:

All right. Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 678. Those in favor, vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

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, 22 Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 678, and the bill, having received the required constitutional majority, is declared passed. Senator Berman, we skipped 2208. Madam Secretary, if we could revert to House Bill 2208, please. 2208, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2208.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. The House voted down this First Conference Committee Report. What is the -- appropriate motion here?

PRESIDENT ROCK:

The question has to be put - shall the Senate adopt. The appropriate motion, I suspect, is to ask all your friends and colleagues to vote No and go to a Second Conference Committee.

SENATOR BERMAN:

Well, I've got a lot of colleagues. I'm not sure how many friends tonight. So -- all right, I move that we accept the Conference Committee Report on -- No. 1 on House Bill 2208, and my friends vote No.

PRESIDENT ROCK:

All right. Question is, shall the Senate adopt the Conference Committee Report on House Bill 2208. This is the only chance to vote the way Senator Berman asks you to vote. Those in favor, vote Aye. Opposed, vote Nay. And the voting is open. All voted who wish? Have all voted who wish? Take the record. On that question, there are 5 Ayes, and 40 Nays. The Conference Committee Report is not adopted, and the Secretary shall so inform the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

House. And Senator Berman requests the appointment of a Second Conference Committee. Senator Demuzio, on 3-2-5. Madam Secretary, Senate Bill 325, on the Order of Conference Committee Reports.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 3-2-5.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 325 was the bill for the -- oh, let's see -- land surveyors. This now is an agreement between the surveyors, Chicago Title and Trust, Lincoln Land Title and Trust, and I know of no opposition.

PRESIDENT ROCK:

Discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 325. Those in favor, vote Aye. Opposed, vote Nay, and the voting is open. All voted who wish? Have all voted who wish? Have all voted -- who wish? Take the record. On that question, there are 54 Ayes, 1 Nay, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 325. The bill, having received the required constitutional majority, is declared passed. 7-2-8, on the bottom of Supplemental No. 2. Senator Berman. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 7-2-8.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that we adopt Conference Committee Report No. 1 on Senate Bill 7-2-8. This is a bill that the corporate trustees and other

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

interested investment groups have been working on since we passed the original bill, and this Conference Committee Report represents an agreement between all of the interested parties, including the Commissioner of Banks and Trust Companies. What we do is adopt the prudent investor rule, but we strengthen the interests of the beneficiaries by providing that certain obligations and certain functions are nondelegable. What that means in plain language is that the trustee is still responsible for making the investment decisions to safeguard the assets of the trust and the estate. I'll be glad to respond to any questions, and solicit your Aye vote.

PRESIDENT ROCK:

Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a fine piece of legislation. You notice all the conferees have signed it. It has gone through the House and Senate Financial Institutions Committee. I did want to ask the sponsor, though, one question, just for intent.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Keats.

SENATOR KEATS:

Senator Berman, as we read the Conference Committee Report, it states that the trustee can delegate investment functions to an investment agent. Does this mean that if the investment agent makes an investment that the beneficiary disputes, that the trustee is off the hook?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

No, Senator Keats. In Section 5.1 it states that the trustee may never delegate to others the performances -- the performance

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

of any acts involving the exercise of judgment and discretion. The only thing that the trustee would delegate to the investment agent would be the act of investment functions. Thus the trustee is always responsible for prudent management of the beneficiary's estate or trust.

PRESIDENT ROCK:

Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 728. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 728, and the bill, having received the required constitutional majority, is declared passed. 1345 is being held at the request of the Chair. Supplemental Calendar No. 3. While the computer is being loaded and the fireworks are going off -- I think the fireworks are announcing my daughter just went to the hospital. I hope to be a Grandpa shortly, so I'll let everybody know. Those who have conference committee reports on Supplemental No. 3, I wish you'd please be ready. Senator Lechowicz. Senator Rea. Senator Jones. Senator Leverenz. Senator O'Daniel. Senator DeAngelis. We'll be with you momentarily. 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 1 and 2 to a bill of the following title, to wit:

Senate Bill 136.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference to consider the differences of the two Houses in regard to their

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

amendments to the bill.

Action taken by the House, June 28, 1991.

PRESIDENT ROCK:

While we are waiting, the machine being properly loaded -- Senator Demuzio, for what purpose do you arise? Oops. All right. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Thank you, Mr. President. Earlier today while I was presiding, on Page 15 of the regular Calendar, we had leave to come back to Senate Bill 973 at some point. I thought maybe if this was the lull, maybe this might be the time to do it. I don't know.

PRESIDENT ROCK:

All right. Without objection then, we will move back to the regular Calendar, on the Order of Secretary's Desk, Concurrence, to take up Senate Bill 9-7-3. Madam Secretary, on the Order of Senate Bills, Concurrence, is Senate Bill 9-7-3, please.

SECRETARY HAWKER:

House Amendments 1 and 3 to Senate Bill 9-7-3.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. House Bill -- Senate Bill 973 -- Amendment No. 1, put out by Senator <sic> Hannig in the House, school boards would have -- school boards may approve administrators who shall be the only persons to administer medications other than a school nurse, and no teachers or other school employees may administer medication. And Amendment No. 3 -- it says that teachers and nonadministrative employees, except certified school nurses, cannot be required to administer medication to students. School districts may adopt policies for self-medication to students, and I would ask for your support.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDENT ROCK:

The Gentleman has moved concurrence with House Amendments 1 and 3 to Senate Bill 9-7-3. Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just very briefly - there is substantial opposition to this bill within the education community, and I'm just really for the moment slowing things down for people to take a look at their Conference Committee Reports of Senate Bill 973. Although I know the sponsor's intentions are nothing but the best, I would say to you, gang, take a look - controversial. Many education people are very concerned with this bill, and this probably is an appropriate No vote.

PRESIDENT ROCK:

Very noble. Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Vince, you're learning more things every day. You watched who was on the Floor and decided to call this neat little bill. There is opposition to it, and let me just -- first of all, could I have -- may I ask the sponsor a couple of questions?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator DeAngelis.

SENATOR DeANGELIS:

What happens if a school does not have a school nurse...

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DeANGELIS:

... and this bill is in effect?

SENATOR DEMUZIO:

Well, they can contract with the nearest health department or someone who is qualified to administer such medication.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

In the meantime, the child dies.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Or the school administrators. It just says it shall not be required. If those wish to do it voluntarily, they may.

PRESIDENT ROCK:

Senator DeAngelis.

SENATOR DeANGELIS:

I'm waiting for a copy of this bill, but if I remember correctly, this bill does not permit -- under no circumstances - under no circumstances - shall teachers or other nonadministrative school employees, except certified school nurses, be required to administer medication to students. Now -- yeah. Now the other thing is that there has been in place - and I don't know why we are rushing this so fast - I believe, a study to be completed very shortly on -- reporting back to us on this particular issue. In fact, if I'm not -- if I'm not mistaken, the IEA did back that study, and I don't know why all of a sudden we don't want to wait for the study, and we're trying to put into law something that we agreed to study. The time has not come for this, Senator Demuzio.

PRESIDENT ROCK:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

Just a question of the sponsor. If -- if...

PRESIDENT ROCK:

And he indicates he will yield, Senator Topinka.

SENATOR TOPINKA:

Thank you. If a teacher would wish, or had the option to give

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

medication, could said teacher do that?

PRESIDENT ROCK:

Senator -- Senator Demuzio.

SENATOR DEMUZIO:

Voluntarily, yes.

PRESIDENT ROCK:

Further discussion? Further discussion? Senator Demuzio, to close. Senator DeAngelis, for the second time.

SENATOR DeANGELIS:

I'm sorry to be rising for the second time, but that teacher -- if that teacher were to do it, or that administrator, they would be doing it at their risk.

PRESIDENT ROCK:

Senator Demuzio, to close.

SENATOR DEMUZIO:

Well, thank you very much, Mr. President, and you know -- I don't -- I don't think any unqualified person should be required to give medication or drugs to children in schools, unless it's on a voluntary basis. And I would ask for your support.

PRESIDENT ROCK:

Question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 973. Those in favor, 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 34 Ayes, 20 Nays, none voting Present. The Senate does concur in House Amendments 1 and 3 to Senate Bill 973, and the bill, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, we revert now to Supplemental Calendar No. 3. Supplemental No. 3. On the Order of Conference Committee Reports, there is a report filed on House Bill 2, Madam Secretary.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2.

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I move that the Senate do concur on this First Conference Committee Report. Basically, what they did is they amplified the language from the Department of Veterans' Affairs in making sure that there was no conflict between the commission that appear in their respective counties, and they also amplified the fact that the county board set the salaries of the commissioners of the veterans that -- that work on the respective counties. That's the intent of the Conference Committee Report, and I know of no objections to it.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2. Those in favor will vote Aye. Opposed,--vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 2, and the bill, having received the required constitutional majority, is declared passed. 175. Senator Rea. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1-7-5.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you, Mr. President. I would move for the adoption of the Conference Committee Report. It does basically two things.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

It increases the employee burial benefits, and extends by nine months the existence of the third panel within the Industrial Commission. The proposed increase in burial expenses from seventeen hundred and fifty to forty-two hundred is of particular concern to many, and Illinois is the sixth lowest in the country. The average cost of a funeral in Illinois is forty-two hundred. I would move for adoption of this Report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentlemen from DuPage, Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I think it should be noted, Ladies and Gentlemen of the Senate, that the proposition you have before you right now is in violation of an understanding that we have felt we have had with -- between business and management. Now, the understanding was that unless these matters were agreed upon by both parties - labor and management - that they would not proceed -- they would not be proceeded with in this Chamber, and that's exactly what we are doing here. We are, in effect, scrapping the agreement that we thought we had with labor. We're not scrapping it, but apparently they are. As you know, for the past two months we've been having -- or there has been taking place some summit meetings, and my understanding is that an impasse was reached last Thursday, I believe, or thereabouts, and labor walked out, I guess -- walked out on the meeting, but decided, in the meantime, to proceed with this measure. We feel that this is in violation of an understanding that we all took very seriously, and I would recommend to my colleagues that you either vote No or vote Present on this measure. And I did -- and I might say, in closing, that I did have my name removed - filed to have my name removed as a hyphenated co-sponsor on this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Gentleman from Kane, Senator

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Friedland.

SENATOR FRIEDLAND:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I concur with the remarks of Senator Hudson, as one of the conferees on this, that we should oppose this issue.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I must say that I may have a conflict of interest in this bill, but I will be voting my conscience. But I do want to take this opportunity to compliment Senator Rea, and also Senator Weaver, for the work that they did in bringing this about.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, President Rock.

SENATOR ROCK:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I would just warn the fellows on the other side - and Ladies, yes, indeed, there is an agreed bill process for workmen's compensation. And yes, indeed, I, in fact, was one of the conveners of and supporters of that process, and I stand here tonight still in support of that process. What I, however, do not stand in support of and what, in fact, happened when the negotiations broke down - when the magnanimous folks from the business community threw up their hands and said, "That's it, we're out of here," - what I do not stand for is an absolute, unadulterated veto power that they have assumed unto themselves. Who in the world can argue against an increase in the burial fee? My goodness. This is such an anachronism it ought to be an embarrassment to us all. And so I said - arbitrarily, I admit - but I said this has got to go to the Governor. This is an embarrassment to the State of Illinois to have a

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

seventeen-hundred-dollar burial fee. It's nuts. And is there anyone, I dare say, who doesn't wish to reduce the backlog at the Illinois Commerce Commission, by keeping in place a temporary panel that's been appointed by the Governor? Who doesn't want to do that? The fact of the matter is there is no one who doesn't want to do either of these. But business, in it's fit of pique, jumped up from the table, walked out, left everything in shambles. And if that's their view of the process, then we better rethink it. I urge an Aye vote from everybody in this Chamber.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from DuPage, Senator Hudson, for a second time.

SENATOR HUDSON:

I apologize for the second time business, Mr. President. But my understanding is, with all due respect to our President, that --that what he has said took place, simply did not take place. The situation was quite the reverse. Now my understanding is, by witnesses, that it was labor indeed who walked out - was not business - besides which, business -- the -- the other side of this question was that they had some -- they had some matters that they offered and they were good, and this -- this whole situation seems to me to be one that if we find, Mr. President, if we find -- if we keep finding provisions that seem to be as pure as motherhood and apple pie and the American Flag, and use those provisions - no matter how salutary they seem to be, and use them and their so-called beneficence as a excuse for breaking the process, then we have no -- we have no process.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from...

SENATOR HUDSON:

It -- it -- it just seems to me that we shouldn't -- we shouldn't be doing this. We either have an agreed bill process -- summit process or we don't.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rea, to close.

SENATOR REA:

Thank you, Mr. President. I think that Senator Rock has pretty well stated the case there, and we are talking about two minor changes that are very important changes, and I would ask for your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall the Senate adopt the Conference Committee Report on House Bill 175. 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 31 Ayes, 12 Nays, 16 Present, and the Senate does adopt the Conference Committee Report on House Bill 176. <sic> This bill, having received the constitutional majority, is hereby declared passed. Senator Hudson requests a verification of the affirmative vote.

SENATOR HUDSON:

Yes. Thank you. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Would everybody please be in their seats. Madam Secretary, poll -- poll the affirmative vote.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, Daley, D'Arco, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Leverenz, Luft, Marovitz, O'Daniel, Palmer, Rea, Savickas, Severns, Smith, Vadalabene, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any questions of the affirmative vote? They're all here, I guess.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

SENATOR HUDSON:

No. J.E. Joyce.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He's right here.

SENATOR HUDSON:

So he is. Senator Marovitz.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He's never looked this good.

SENATOR HUDSON:

Well, where'd he come...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz on the Floor? I think he is watching the fireworks. He'll be with us momentarily. Got anybody else? Marovitz? Remove him.

SENATOR HUDSON:

Senator Leverenz.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Leverenz. Senator Leverenz on the Floor? Looks like he is coming in. Naw, don't look like him. Close. Remove him. Is that it, George?

SENATOR HUDSON:

I hope.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

On that question, there are 29 Ayes, 12 Nays, 16 recorded as Present. Conference Committee Report is not adopted, and the Secretary shall so inform the House. You want to call 176, Senator Rea?

SENATOR REA:

Call a Second Conference Committee.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He requested leave of the Second Conference Committee. Hearing no objections, Second Conference Committee will be

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

constituted. House Bill 176. Senator Rea. Read the Conference Committee Report, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 1-7-6.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rea.

SENATOR REA:

Thank you, Mr. President. I would move for adoption of the First Conference Committee Report on House Bill 176. It increases the discrepantory <sic> authority of the Director of DES concerning the release of confidential information obtained in administering the Unemployment Insurance Act. It restricts disability of any finding determination, ruling or order made by DES to actions arising from the Unemployment Act. Makes various changes it the Unemployment Insurance Act in response to recommendations by the U.S. Department of Labor. This was requested by the State Department of Labor, and labor and management have agreed upon the Report, which generally is technical in nature. I would move for adoption.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Senator Hudson.

SENATOR HUDSON:

Mr. President, I am pleased to join Senator Rea in this effort, and would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 176. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Would you please get us -- thank you. Have all voted who wish? Please take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present, and the Senate does adopt the Conference Committee Report on House Bill 176. This bill,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

having received the constitutional majority, is hereby declared passed. 177. Senator Rea. Read the Conference Committee Report, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 177.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Franklin, Senator Rea.

SENATOR REA:

Thank you, Mr. President. I would move for adoption of the First Conference Committee Report on House Bill 177. The report does represent an agreement reached by participants in the recent summit conference on collective bargaining. It makes an unfair labor practice the refusal to reduce in writing or to sign a collective bargaining agreement; defines a short-term employee for purposes of the Illinois Educational Labors Relation <sic>; applies the Illinois Public Labor Relations Act to certain fire protection districts with fewer than thirty-five employees; permits extension of an election day for a collective bargaining representative by all interested parties; permits the Labor Relations Board to impose sanctions, including payment of lawyer fees upon a party engaging in litigation. I would move for adoption of Conference Committee Report 1 to House Bill 177.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Hudson.

SENATOR HUDSON:

Just to note, Mr. President - thank you - that most of the parties have signed off on this bill. It seems to be okay in the main, but just to call your attention to the fact that there is still some opposition to it from the Fire Protection District Association.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? The question is, shall the Senate

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

adopt the Conference Committee Report on House Bill 177. 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, 5 Nays, none recorded as Present, and the Senate does adopt the Conference Committee Report on Senate Bill -- on House Bill 177, and the bill, having received the constitutional majority, is hereby declared passed. 179. Senator Jones. Mr. Secretary, read the Conference Committee Report on House Bill 179.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 179.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. The First Conference Committee Report on -- on House Bill 179 creates the Apprenticeship Training and Advisory Council to develop policies to deal with the problems encountered by minorities entering as journeymen to the skilled construction industry in Chicago. It established the following membership: the four Legislative Leaders of the General Assembly or their designee; four appointees of the Chicago/Cook County Building Trades Council; four appointees representing the City of Chicago and Cook County -- of the Construction Employees' Association; and one appointee of the State Superintendent of Education. There shall be no compensation for the membership on those committees, but they shall be reimbursed for their expenses. It also applies to the -- all public work projects financed by TIF and bonds and EZ zones, and requires the Council to report its recommendations and findings to the Governor and the General Assembly by July 1 of each year, and make it a business offense for persons to -- to induce, or attempt to induce, through encouraging and other means, a public works

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

employee to giving up compensation due to -- under a contract. This is the gist of it -- of the Conference Committee Report. It's something that's been worked out with labor, the minorities, and the City of Chicago, and the County of Cook, and I ask that we adopt the Conference Committee Report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. I rise in opposition to this proposal, basically because it is still opposed by the construction industry. It would provide that the prevailing wage applies to projects financed with bonds issued under the Tax Increment Allocation Redevelopment Act, or with loans made available under the Enterprise Zone Act. The effect of all of this is that the language would be -- would mean that the scope of this measure would be dramatically expanded, and the construction industry, as I indicated before, stands in opposition to this. So I would urge, on this measure, a No vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Jones, to close.

SENATOR JONES:

Yeah. Thank you, Mr. President. It's rather ironic, you know, that when we just got through discussing the maps as relate to the Legislative Districts and all the concern on the other side of the aisle as it relates to minorities - and you can see that concern was not really sincere, my good friend, Senator Hudson; because, if you were sincere, then you would be in strong support of this Conference Committee Report. Because it is this Conference Committee Report that tries to address the ills that currently exist. So, my friends on the other side of the aisle, if you are genuine and sincere, you would support the Conference Committee Report on House Bill 179, and I ask for a favorable vote.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 179. 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 35 -- 34 Ayes, 25 Noes, none recorded as Present, and the Senate does adopt the Conference Committee Report on House Bill 179. This bill, having received the constitutional majority, is hereby declared passed. House Bill 1811. Conference Committee Report on House Bill 1811. Senator Leverenz. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 1811.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. The bill would now provide that we would do something that I think is generally described as "Buy American." And that the short title has been changed to the Steel Products Procurement Act -- to the Domestic Products Procurement Act, and expands the scope to apply to all purchases or leases of commodities or manufactured goods by the State. Requires the State, with specified exceptions, to purchase or lease only commodities or goods manufactured or supplied by companies whose products consist of a specified minimum level of U.S. and Canadian content. Answer any questions you might have. Ask for your Aye vote to pass the bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This idea -- we've been buying America, it seems, for the

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

past two weeks, and it sounds great. I like America, but the arguments that pertained against this - a measure that have been used before several times in debate - still apply. It's vastly expensive to our industry. Caterpillar and other similar companies are opposed to this measure. It would raise their costs. It would cost the State of Illinois, they estimate, between six and seven million dollars. It's once again almost impossible to -- to judge the content of these products. It would take a special committee and special commuters and then God knows how they would do it - how they would ascertain the percentage of American products and -- or -- products made in -- in this country. It's -- it's just -- it's just unwieldy. It just would be practically impossible for business to comply with it, and it would add -- do nothing but add to the expense of doing business and cost jobs, and therefore hurting the very ones that -- that it purports to help. So once again - once again - I would urge a No vote on this measure.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Cook, Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I just rise in support of this bill. I -- I think that the past speaker was wrong. He said it would take away jobs. I'll argue that it will provide jobs and put people back to work. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz, to close. I'm sorry. Senator Karpziel. Well, I just noticed your light. I'm sorry. Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR KARPIEL:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senator Leverenz, why is steel excluded from the bill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

There's no reason to put it in here, because it's covered by existing law, but we appreciate your question.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpiel.

SENATOR KARPIEL:

Also, how exactly do they -- how do they -- how do they figure out that by 1992 all products have to consist of at least fifty percent United States or Canadian content; and then in '93, sixty percent; and then '94, seventy percent, et cetera? How -- how exactly do you figure all that out, about every -- everything that's manufactured in this country?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

Well, the short answer would be, by addition. The long answer is the following: It used to be you turned a pair of gym shoes upside down and it would tell you where they were made. The fact of the matter is, currently - this year - you listen to a commercial by Mr. Iacocca, who says, "Buy American." And the content of that automobile you can describe by where the parts came from. The Japanese car made in Ohio has the same product source material information available, and the Honda has more American parts than the Chrysler. That's how easy it is to add up who has more American-made parts, and it phases it in, the same way we did with recycled newspaper.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any more questions, Senator Karpiel?

SENATOR KARPIEL:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Mr. President, yes. What about...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Karpiel.

SENATOR KARPIEL:

What about things like Caterpillar, for instance, Senator, who has overseas operations? Would we be unable to buy the parts that they make out of this country?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz.

SENATOR LEVERENZ:

I'm glad you brought that up. If Caterpillar would buy things that are made in the State of Illinois, you would create -- and have your Republican program in place, you would have created jobs. The fact of the matter, maybe, is they don't do that. Look at an off-shore corporation. In Europe, they have this on the books now. In Japan, they have this on the books now - that you will indeed -- they dictate to you the content of your product. Further, the country I just mentioned has in the past taken an economic development course to say you will -- or we will be state-of-the-art in computers. And they dump so much money into it they in fact are in -- the state-of-the-art in computers. And then they bring the cars and computers over here and dump them in our market and we wonder why we don't have any jobs. It's about time we start buying in this country, in this State, and create jobs the way those that are -- our competitors are working against us. We should use the same marketing plan.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Butler.

SENATOR BUTLER:

Thank you very much, Mr. President. I'd like to point out two things: First of all, the sponsor said that this pertains to material made in Illinois, and I believe that has been removed and

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

it only pertains to products made in the United States or Canada. Secondly, I think we ought to be aware of the fact it applies to contracts of five hundred dollars or more. Now I don't know how many tens of thousands of -- of purchase orders the State places for five hundred dollars or more, but I think in our -- in our zeal, we're creating a paperwork -- a paperwork nightmare for every agency of this government that buys five hundred dollars or more.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Leverenz, to close.

SENATOR LEVERENZ:

We appreciate even the -- the Senator who just spoke, his contribution to debate. I did mention Illinois, because it is part of the United States. And I think we should buy things that are made in the United States as well as the other states. This is a very simple proposition. I think we should take our head out of the sand and catch up with the rest of the world. I strongly urge an Aye vote to accept this Conference Committee Report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall the Senate adopt the First Conference Committee Report on House Bill 1811. All those 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 31 Ayes, 27 Nays, none recorded as Present, and the Senate does adopt the Conference Committee Report on House Bill 1811. And the bill, having received the constitutional majority, is hereby declared passed. Senator Hudson requests a verification of the affirmative vote. Gentleman from Macoupin, Senator Demuzio, what purpose do you seek recognition? Demuzio, please.

SENATOR DEMUZIO:

Mr. President, this is dilatory.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Dilatory.

SENATOR DEMUZIO:

We just went through this just ten minutes ago, and everybody is here.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He has -- he persists in his verification. Do you persist, Senator Hudson? Senator Hudson, do you want to withdraw your verification?

SENATOR HUDSON:

No, I don't think so, Mr. President. Thanks for the opportunity, anyway.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

God bless you. Please -- please call the affirmative vote.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, Daley, D'Arco, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Leverenz, Luft, Marovitz, O'Daniel, Palmer, Rea, Savickas, Severns, Smith, Vadalabene, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Are there any questions of the 31 affirmative present votes?

SENATOR HUDSON:

Senator D'Arco.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

D'Arco? He's right here, on the Floor. D'Arco is here.

SENATOR HUDSON:

Senator Jones.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Jones is right in front of the President's view.

SENATOR HUDSON:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senator Daley.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Daley - he's on the Floor. He's always here.

SENATOR HUDSON:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Thank you, Mr. Hudson. On this question, there are 31 Ayes, 27 Nays, none recorded as Present, and the Senate does adopt the Conference Committee Report on House Bill 1811. This bill, having received the constitutional majority, is hereby declared passed. 1850. Senator O'Daniel. Conference Committee Report on House Bill 1850. Read the Conference Committee Report, please.

PRESIDING OFFICER: (MR. HARRY)

First Conference Committee Report on House Bill 1850.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President and Members of the Senate. I move for the adoption of Conference Committee Report No. 1 to House Bill 1850. What the Conference Committee Report does, it decreases the permit fee for owners of one hundred or more wells to twelve dollars and fifty cents from fifteen dollars on each well over one hundred; caps the monies to be deposited into the Underground Resource Conservation Enforcement Fund at seven hundred and fifty thousand dollars; and the language added in Conference Committee Report No. 1 is the final agreement between the industry and the Department of Mines and Minerals. And I would move for the adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall the Senate adopt the Conference Committee Report on House Bill 1850. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

voted who wish? Thank you. Have all voted who wish? Please take the record. On this question, there are 59 Ayes, no Nays, none recorded as Present, and the Senate does adopt the Conference Committee Report on House Bill 1850. This bill, having received the constitutional majority, is hereby declared passed. 1079. Conference Committee Report on Senate Bill 1079. Senator DeAngelis. Read the Conference Committee Report, Mr. Secretary.
PRESIDING OFFICER: (MR. HARRY)

First Conference Committee Report on Senate Bill 1079.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. When Senate Bill 1079 went out on the Agreed Bill List, two amendments were added in the House. We refused to concur. One of the amendments is gone; the second one has been worked out and what it does, it permits banks who have had travel agencies prior to July 1st, 1991, to operate those travel agencies. I move for the adoption of the First Conference Committee Report on Senate Bill 1079.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1079. 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 55 Ayes, 3 Nays, none recorded as Present, and the Senate does adopt the Conference Committee Report on Senate Bill 1079. This bill, having received the constitutional majority, is hereby declared passed. Ladies and Gentlemen, the Supplemental No. 4 is not before us yet.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, Supplemental 4 will be arriving shortly. The Minority Leader has requested a caucus of

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

the Republican Members. He has, however, assured me it will be very brief, has assured me it was not a stall, was absolutely necessary for the operation of government. I take the man at his word. Now the Senate will begin anew at 11:30, so that we will have thirty minutes within which to present that which ought to be presented before the bewitching hour. Senator Philip has assured me there would be plenty of time before midnight to present what we wish to present. So I'd encourage the Republican Members to hurry up and meet. 11:30 we begin anew. 11:30. We'll stand at ease till 11:30.

(AT EASE)

END OF TAPE

TAPE 5

(SENATE RECONVENES)

PRESIDENT ROCK:

Ladies and Gentlemen, Supplemental Calendar No. 4 has arrived. So I would ask the Membership - Senators Marovitz, Cullerton, Hall, Jones, Lechowicz, Jones, Hawkinson, Joyce, Luft and Joyce - to please join us on the Floor, as we will proceed with Supplemental No. 4. Supplemental Calendar No. 4, Ladies and Gentlemen. It is now 11:40. House Bill 57 - held at the request of the Chair. 121 - held at the request of the Chair. 373. With leave, we'll get back to it. 406, Madam Secretary. House Bill 406.

SECRETARY HAWKER:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

First Conference Committee Report on House Bill 406.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Thank you, Madam President -- Mr. President, Members of the Senate. The First Conference Committee Report on House Bill 406 is the proposed twenty-five percent increase in the State income tax. What the bill purports to do is to -- to extend, for the purpose of education - and make that tax permanent - a increase of .5 percent, or raise it -- raise it to the level of -- raise it to the level of .025. All of those funds for education purposes will go into the Educational Fund that was set up by the -- by the -- the temporary surtax increase. The -- the remainder of those dollars will go into General Revenue Fund, and -- and those dollars going to the General Revenue Fund -- the purpose of those dollars is to take care of the shortfall as it relate to the -- the social service program. That approximate amount will be somewhere around two hundred million dollars into GRF and a little over two hundred million dollars into the Educational Fund. And I ask for a favorable vote on this First Conference Committee Report on House Bill 406.

PRESIDENT ROCK:

Discussion on House Bill 406? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Members of the Senate. I, too, rise in support of -- of -- Conference Committee 406. Senator Jones has expressed what is in the bill. It would also provide additional money for education -- would bring the Educational Fund up to five hundred and ninety-two -- total of five hundred ninety-two million dollars. It would also add to -- give to local units of government approximately three hundred and fifteen million dollars. It will make, in fact, the educational portion

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

of this bill - and this is what we all been concerned about - permanent, only the education portion of the bill. That portion to local governments and to -- to GRF will still remain temporary. I think this is the best way to go, and that we ought to adopt the Conference Committee Report.

PRESIDENT ROCK:

Discussion? Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Question of the sponsor.

PRESIDENT ROCK:

Indicates he will yield, Senator Davidson.

SENATOR DAVIDSON:

On Page 38, are you saying now the "Family First" calculations about seventy-five thousand, et cetera, et cetera, that we beat here earlier this evening - is that in this bill?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Yes. It is -- it is in the bill.

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

And what part is permanent, and what part is not permanent?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

The "Family First" is two years. All of the funds that go to education are permanent.

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

How can you split -- make it constitutional, with part of it

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

going to be permanent, part of it going to be temporary? Can you explain that and the temporary part? Does that go to the General Revenue to pay off our deficit, or is this going back to a local government as it is presently, which is going to end here in about fifteen minutes?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

The new increment that's added to this is split between general -- between the Educational Assistance Fund and GRF.

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

Does the contribution or the rebate back to local government of counties and incorporated corporations - does that still exist? Does -- they still get fifty percent of this raise, or none of it, or what portion of it?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

It remains the same as it is under the current surtax law.

PRESIDENT ROCK:

Senator Davidson.

SENATOR DAVIDSON:

In other words, there's nothing in this, if it would pass - other than the fact the education part of it would be permanent, the other is two years - but there's nothing - nothing - towards the fifty million that we looked at earlier on appropriation to increase education, and nothing towards paying the deficit for which the State of Illinois is in a bigger crisis than most of the cities and counties. Is that correct?

PRESIDENT ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senator Jones.

SENATOR JONES:

This is merely a formula bill. There are no dollars in here. So that fifty million that you talked about is not addressed in this bill.

PRESIDENT ROCK:

Further discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT ROCK:

Indicates he will yield.

SENATOR FAWELL:

Senator Jones, this is a -- this is an amendment, obviously, that is forty-three pages long. And there has not been one Republican that has signed it. So, you know, we're trying to find out what in the world this thing is doing. We have no analysis over here that -- that even starts to tell us what it does. None of this money is going to pay off the State debt. Is -- is that correct?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Well, paying off the State debt -- debt comes from GRF. So about two hundred and five million will go to GRF, but I hope the Governor will use the dollars to take care of social -- social programs.

PRESIDENT ROCK:

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President, since this bill, I understand, raises the income tax rate -- and if it does, how many votes is needed on

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

this?

PRESIDENT ROCK:

Thirty votes are required. Further discussion? Senator Kelly.

SENATOR KELLY:

Mr. President, I move the previous question.

PRESIDENT ROCK:

Gentleman has moved the previous question. All in favor, indicate by saying Aye. All opposed. The Ayes have it. Senator -- Senator Jones, to close. Senator Jones, to close.

SENATOR JONES:

Yeah. Thank you, Mr. President. And in response to all the needs of the children across the State of Illinois, 406 Conference Committee is -- is presented to you. The needs of education are permanent. The needs of the social service programs are permanent. And I request you, the Members of this House, to give us an affirmative vote on -- on the First Conference Committee Report on House Bill 406.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 406. 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 17 Ayes and 42 Nays and none voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. Revert now to Senate Calendar No. 2. Earlier we passed this over, at the request of a number of people. On the Order of Conference Committee Reports is a Conference Committee Report on Senate Bill 1345, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1345.

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I would move that we adopt the First Conference Committee Report on Senate Bill 1345. This bill would extend the income tax surcharge for two years. It changes the distribution format to local government from -- instead of getting 5.9, they would get 4.1. However, the education formula remains the same, and we let the double deduction expire, so we'll have a single deduction after this bill is signed. Happy to answer any questions, but make them quick.

PRESIDENT ROCK:

Discussion on the Conference Committee? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. I -- I rise in strong opposition to this Conference Committee Report. Senator Cullerton, I stood on this Floor some two years ago, and I argued against the temporary surcharge. I was a strong supporter of making that tax permanent at that time. And I can well recall -- I can well recall looking into the gallery and seeing the gallery full of educational groups from all three levels of education. Mr. President, the hour is late.

PRESIDENT ROCK:

Well, and I have been assured by the Minority Leader that a vote would take place before midnight. I would ask the Members to please be in their seats. I'd ask those not entitled to the Floor to please vacate, and will the staff please lighten up, relax, sit back. There will be a vote before midnight, I assure you. Senator Maitland.

SENATOR MAITLAND:

Senator Cullerton, the speaker that spoke before me, two years ago, in explaining why he was voting for a temporary tax, said, "I

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

think we ought to give them the money for two years," speaking of education, "and see if they spend it wisely." Elementary, secondary, and higher education - see if they spend it wisely - those educators who we demand carry out what we, as legislators, have mandated them to do. And we said, "Let's see if they spend the money wisely." And I said, "What are we telling educators when we tell them something like that?" But that's behind us now. We lost that battle. You had your temporary tax, and that's fine. And thank God we had it. Now we have, in fact, proven the need. Clearly, education cannot live without that money. What kind of a signal do we send to these people who educate our elementary, secondary, and higher education students if we can't guarantee them the permanency of this tax? That's a terrible thing to say. And what does that say to our college professors who are saying, "What is the future of education in Illinois?" If we leave here passing a temporary tax, we once again have sent that signal - "We have some distrust in what you do, and we're going to give you the money for another two years and see if you spend it wisely." My God, folks, let's make the commitment. On June 30th, why do we want to do this? It is the wrong thing to do, and I would urge defeat.

PRESIDENT ROCK:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT ROCK:

Indicates he will yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Senator, before we went out for a caucus, I think I spoke to you, if I recall correctly, and I asked you whether or not you're going to amend your bill to be in conformity with the bill that was suggested by Governor Edgar and which makes sense. And you

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

said, "Well, we're changing it around." Now, have you made any changes on that Conference Report - the first one that you submitted?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Senator Geo-Karis, instead of these local governments getting a hundred percent of what they're getting now, they're only going to get seventy percent under this proposal. And the single -- the double deduction becomes a single deduction, so that in this Conference Committee, the Governor will get more money for the State than he had in his own budget.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Are -- do you still have that provision in that Conference Report which includes a graduated income tax? Where you have a difference in -- in income -- different tax?

PRESIDENT ROCK:

Senator Cullerton. Senator Cullerton.

SENATOR CULLERTON:

No, that's been removed. I apologize for not mentioning that. That is totally out. It's a very simple bill.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

You say it's a very simple bill. From what I understand then, you're making the surcharge temporary for two years. Am -- am I correct about that?

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Yes. It's two-year income tax surcharge which is extended. Education gets the same amount, and the cities get seventy percent of what they got before.

PRESIDENT ROCK:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Outside of those two provisions, what else have you gotten in that new Conference Report, because I don't have it on my desk?

PRESIDENT ROCK:

Senator Cullerton. Senator Cullerton.

SENATOR CULLERTON:

That is it. That's what's in the Conference Committee Report. The only thing I might mention is that there's no longer a double deduction; there's only a single deduction. That brings in eighty million dollars to the State coffers.

PRESIDENT ROCK:

The Chair will also admonish the Membership, this Conference Committee Report was passed out over an hour ago. Senator Rigney? Further discussion?

SENATOR GEO-KARIS:

I'm not done. I'm not done, sir.

PRESIDENT ROCK:

Senator Geo-Karis. Everybody's word is good over there. I was told we're going to have a vote before midnight, so you may be the last speaker.

SENATOR GEO-KARIS:

Mr. President, maybe I am the last speaker...

PRESIDENT ROCK:

That would be fine.

SENATOR GEO-KARIS:

...but this bill takes away some decent property tax relief which we have promised the people of Illinois. The middle class

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

of -- of the people of Illinois are the ones who are carrying the freight. They're the ones who help contribute to charitable causes to help the less fortunate. They're the ones that have to pay the taxes, because people who make up to ten thousand dollars a year do not have to pay income tax - State or federal. And I think is a very serious thing. We're not getting any property tax relief with the bill that Mr. Cullerton has fashioned - and it's obvious. And I certainly rise to speak against it. It's not going to help to make it temporary when you know that we need a lot of money, and you're not willing to make it a permanent surtax.

PRESIDENT ROCK:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move the previous question.

PRESIDENT ROCK:

Gentleman's moved the previous question. All in favor, indicate by saying Aye. All opposed. The Ayes have it. Senator Cullerton, to close.

SENATOR CULLERTON:

Roll call.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1345. 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 23 Ayes, 30 Nays, and 6 voting Present. The Conference Committee Report is not adopted. The Secretary shall so inform the House. And Senator Cullerton requests a Second Conference Committee.

PRESIDENT ROCK:

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Thank you. Mr. President, are we ever going to get to the Public Aid budget before twelve o'clock?

PRESIDENT ROCK:

We are not. The only budget that we have dealt with is the Department of Transportation.

SENATOR D'ARCO:

Well, I think that's a tremendous injustice, Mr. President. These people aren't going to get their welfare checks, and we're being held hostage here by the Republican Party. And it's important that these people be able to feed themselves and their families. And why we're not getting to that budget, to me is unconscionable.

PRESIDENT ROCK:

All right. In that regard, on Supplemental Calendar No. 4 is House Bill 373, Madam Secretary. Senator Dudycz, for what purpose do you arise?

SENATOR DUDYCYZ:

Mr. President, I move we adjourn.

PRESIDENT ROCK:

Thank you. That motion is not in order. 373, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 3-7-3.

PRESIDENT ROCK:

Senator Hall. Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I ask for an Aye vote on this bill - 373. And this incorporates the Department of Public Aid, Department of Mental Health, Department of Revenue, Department of Rehabilitation Service, Department of Children and Family Service,

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

55th Legislative Day

June 30, 1991

Department of Correction. Department stuff. I ask for your most favorable vote.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 373. 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? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 25 Nays, 3 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. Ten o'clock. Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Thank you, Mr. President. I move the Senate stand adjourned till ten o'clock tomorrow morning.

PRESIDENT ROCK:

That motion is now in order. The Senate stands adjourned till ten o'clock.

STATE OF ILLINOIS
87TH GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 30, 1991

HB-0002 CONFERENCE	PAGE	156
HB-0175 CONFERENCE	PAGE	157
HB-0176 CONFERENCE	PAGE	163
HB-0177 CONFERENCE	PAGE	164
HB-0179 CONFERENCE	PAGE	165
HB-0319 REFUSE TO RECEDE	PAGE	9
HB-0373 REFUSE TO RECEDE	PAGE	10
HB-0373 CONFERENCE	PAGE	186
HB-0376 REFUSE TO RECEDE	PAGE	10
HB-0378 REFUSE TO RECEDE	PAGE	11
HB-0384 REFUSE TO RECEDE	PAGE	11
HB-0393 REFUSE TO RECEDE	PAGE	11
HB-0395 REFUSE TO RECEDE	PAGE	12
HB-0406 REFUSE TO RECEDE	PAGE	95
HB-0406 CONFERENCE	PAGE	175
HB-0505 REFUSE TO RECEDE	PAGE	12
HB-0516 OUT OF RECORD	PAGE	131
HB-0545 REFUSE TO RECEDE	PAGE	13
HB-0736 REFUSE TO RECEDE	PAGE	13
HB-0808 REFUSE TO RECEDE	PAGE	14
HB-0887 REFUSE TO RECEDE	PAGE	15
HB-0888 REFUSE TO RECEDE	PAGE	15
HB-0927 REFUSE TO RECEDE	PAGE	95
HB-1024 CONFERENCE	PAGE	132
HB-1048 REFUSE TO RECEDE	PAGE	16
HB-1101 REFUSE TO RECEDE	PAGE	16
HB-1123 REFUSE TO RECEDE	PAGE	94
HB-1128 CONFERENCE	PAGE	133
HB-1155 REFUSE TO RECEDE	PAGE	17
HB-1296 RECEDE	PAGE	17
HB-1354 THIRD READING	PAGE	36
HB-1357 THIRD READING	PAGE	84
HB-1431 REFUSE TO RECEDE	PAGE	18
HB-1811 CONFERENCE	PAGE	167
HB-1838 REFUSE TO RECEDE	PAGE	96
HB-1850 CONFERENCE	PAGE	173
HB-2147 REFUSE TO RECEDE	PAGE	18
HB-2149 CONFERENCE	PAGE	145
HB-2208 CONFERENCE	PAGE	149
HB-2352 REFUSE TO RECEDE	PAGE	96
HB-2417 CONFERENCE	PAGE	146
HB-2556 RECEDE	PAGE	97
SB-0010 CONFERENCE	PAGE	98
SB-0155 CONCURRENCE	PAGE	4
SB-0216 MOTION	PAGE	20
SB-0258 NON-CONCURRENCE	PAGE	4
SB-0301 NON-CONCURRENCE	PAGE	5
SB-0305 NON-CONCURRENCE	PAGE	5
SB-0308 NON-CONCURRENCE	PAGE	6
SB-0325 CONFERENCE	PAGE	150
SB-0364 DISCUSSED AND POSTPONED	PAGE	22
SB-0365 CONCURRENCE	PAGE	30
SB-0409 NON-CONCURRENCE	PAGE	6
SB-0539 CONFERENCE	PAGE	119
SB-0678 CONFERENCE	PAGE	147
SB-0728 CONFERENCE	PAGE	150
SB-0837 NON-CONCURRENCE	PAGE	7
SB-0956 NON-CONCURRENCE	PAGE	7
SB-0958 NON-CONCURRENCE	PAGE	8
SB-0959 NON-CONCURRENCE	PAGE	8
SB-0973 CONCURRENCE	PAGE	153
SB-1016 CONFERENCE	PAGE	120
SB-1079 CONFERENCE	PAGE	174
SB-1341 NON-CONCURRENCE	PAGE	9

STATE OF ILLINOIS
87TH GENERAL ASSEMBLY
SENATE
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 30, 1991

SB-1345 POSTPONED CONSIDERATION	PAGE	19
SB-1345 CONFERENCE	PAGE	180
SB-1364 CONFERENCE	PAGE	121
SB-1451 CONFERENCE	PAGE	127
SR-0636 RESOLUTION OFFERED	PAGE	91
SR-0637 RESOLUTION OFFERED	PAGE	91
SR-0638 RESOLUTION OFFERED	PAGE	91
SR-0639 RESOLUTION OFFERED	PAGE	91
SR-0640 RESOLUTION OFFERED	PAGE	91
SR-0641 RESOLUTION OFFERED	PAGE	91
SR-0642 RESOLUTION OFFERED	PAGE	91
SR-0643 RESOLUTION OFFERED	PAGE	91
SR-0644 RESOLUTION OFFERED	PAGE	91
SR-0645 RESOLUTION OFFERED	PAGE	91
SR-0646 RESOLUTION OFFERED	PAGE	91
SR-0647 RESOLUTION OFFERED	PAGE	91
SR-0648 RESOLUTION OFFERED	PAGE	91
SR-0649 RESOLUTION OFFERED	PAGE	91
SR-0650 RESOLUTION OFFERED	PAGE	92
SR-0651 RESOLUTION OFFERED	PAGE	92
SR-0652 RESOLUTION OFFERED	PAGE	92
SR-0653 RESOLUTION OFFERED	PAGE	93
HJR-0002 RESOLUTION OFFERED	PAGE	3
HJR-0016 RESOLUTION OFFERED	PAGE	91
HJR-0042 RESOLUTION OFFERED	PAGE	91
HJR-0044 RESOLUTION OFFERED	PAGE	3
HJR-0064 RESOLUTION OFFERED	PAGE	90
HJR-0065 RESOLUTION OFFERED	PAGE	91
HJR-0069 RESOLUTION OFFERED	PAGE	90
HJR-0070 RESOLUTION OFFERED	PAGE	90
HJR-0071 RESOLUTION OFFERED	PAGE	90
SJR-0081 RESOLUTION OFFERED	PAGE	93

SUBJECT MATTER

SENATE TO ORDER - PRESIDENT ROCK	PAGE	1
PRAYER - REVEREND RICK HOHIMER	PAGE	1
JOURNALS - POSTPONED	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	1
RECESS	PAGE	35
SENATE RECONVENES	PAGE	35
MESSAGES FROM THE HOUSE	PAGE	89
MESSAGES FROM THE HOUSE	PAGE	91
RECESS	PAGE	93
FIRST SPECIAL SESSION	PAGE	93
SENATE RECONVENES	PAGE	93
RESOLUTIONS CONSENT CALENDAR - ADOPTED	PAGE	94
MESSAGES FROM THE HOUSE	PAGE	152
ADJOURNMENT	PAGE	187