

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

137th Legislative Day

December 1, 1992

PRESIDENT ROCK:

The hour of noon having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Our prayer this afternoon by the Reverend Eddie Randolph, East Park Church of Christ, Danville, Illinois. Reverend.

THE REVEREND EDDIE RANDOLPH:

(Prayer by the Reverend Eddie Randolph)

PRESIDENT ROCK:

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

SECRETARY HAWKER:

Senate Journals of Tuesday, November 17; Wednesday, November 18; and Thursday, November 19, 1992.

PRESIDENT ROCK:

Senator Hall.

SENATOR HALL:

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

PRESIDENT ROCK:

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

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to adopt the First Conference Committee Report on Senate Bill 741, and requests a Second Committee of -- Conference Committee to consider the differences between the two Houses in regard to Amendment No. 1.

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Action taken by the House, November 19, 1992.

PRESIDENT ROCK:

All right. Senator Rea will move to accede to the request of the House that a Second Conference Committee be appointed. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered.

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 passed bills of the following title in the passage of which I'm instructed to ask the concurrence of the Senate, to wit:

House Bill 3877.

Passed the House, November 19, 1992.

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

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

Senate Bill 1092, together with House Amendment No. 1.

I have a like Message on Senate Bill 1160 with House Amendments 1 and 6.

PRESIDENT ROCK:

All right. Secretary's Desk, Concurrence. Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 2247 offered by Senator Dart.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT ROCK:

Rules Committee. If I can have the attention of the Membership, I'd ask you to pay particular attention. We have with

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us a very special guest and the Chair will yield, for an introduction, to Senator Margaret Smith.

SENATOR SMITH:

...(machine cutoff)...morning. To our beloved President, Senator Rock, and to my colleagues here, of the Senate. I am honored this morning to bring to you a first. This young Lady hails from the 3rd Senatorial District, of which I am now the Senator and representative of that district. A few weeks ago, the people of Chinatown, which is a part of my district, held their annual parade, and this young Lady was riding in the parade. Thank you, Senator Brookins. She was quite attractive, and I asked her if I might be permitted to bring her before the State of Illinois and the Senatorial Body to present her and give her the opportunity to meet our Representatives and our Senators here in the State of Illinois. And so at this time, I'm very proud to present first, her mother, who is Mrs. Esther Wong; her sister, Miss Shirley Wong, who preceded her as Miss Chinatown. Shirley. And now I'm pleased to present to you, Miss Sandra Wong. And before she gives remarks, I would like very much to present this citation to her on behalf of the Senate of the State of Illinois. ...(machine cutoff)...very proud of this, because this is history. And this says:

(Senator Smith reads SR No. 1607)

MISS SANDRA WONG:

(Remarks by Miss Sandra Wong)

SENATOR SMITH:

Senator Rock, would you please come to -- we have Senator Philip, Pate -- Pate Philip -- Pate -- Pate Philip - is he here?

PRESIDENT ROCK:

All right. Ladies and Gentlemen of the Senate, if I can have your attention again for a moment. We have, again, some special guests, who have traveled a long way to be with us this afternoon,

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and we're delighted that they're here, and the Chair will yield to Senator Janet Joyce for an introduction.

SENATOR JOYCE:

Thank you, Senator Rock. This is a resolution offered by myself, Senator Rock and the rest of this august Body. It is customary for this Body to honor special schools whose sport teams have reached the pinnacle of success by winning the State Championship. This is the second year in a row that these gals, who are the Lady Tigers from Herscher, the cross country team has won the IHSA Class A State Cross Country Championship. I want all you Pages to watch out back there, because these girls are the fastest in the State. Yeah, they're pretty good runners. And I would like now to introduce to you Coach Scott Stephens, who is responsible for this team being a very winning team. Scott also has done some wonderful things in track throughout his career, and has now spent his talent turning these girls into the State's fastest girl runners. Scott, you want to introduce the girls?

COACH SCOTT STEPHENS:

(Remarks and Introductions by Coach Scott Stephens)

SENATOR JOYCE:

Let's give them a big round of applause. Thanks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ladies and Gentlemen, the Senate will come to order. We have some additional special guests. And Senator Di Turi will -- will introduce them.

SENATOR DI TURI:

Thank you, Mr. President. The drug-free babies who are visiting us today are a result of DASA-funded treatment programs. I have Lakeesha, Reginald, Latoya, Jennifer and Lashonna. Lakeesha is our new baby that's born drug-free. One hundred and thirty babies born drug-free - the State of Illinois money. Okay. These children have a chance to live and be forward and move on.

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There's no drugs. Their mothers were saturated with cocaine and a bad habit. Through Haymarket House and all the drug-free centers in Illinois, these babies were treated on -- the mothers were treated with treatment funds from the State, and the mothers were clean of drugs. Behind me there's no mother full of drugs. There is no baby -- we have right here all these babies born drug-free for the State. I need your help in fighting to get this back for them. They're beautiful babies. They need a chance. I visited cocaine babies last week. Twelve hundred dollars a day - a cocaine baby was saturated with drugs. Twelve hundred a day. The chances of survival for the baby is minimal. They are -- they have trouble to breathe. They're having -- they're on respirators, and if it's a -- not a premature baby it's five hundred a day. This program, 'cause it's State-funded dollars - behind me I have drug-free babies. Look at it right here. This is what it's all about. Your conscience. Drug-free babies. Thank you and God bless you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY HAWKER:

Senate Resolution 1636 offered by Senator Topinka.

Senate Resolution 1637 offered by Senator Schaffer.

Senate Resolution 1638 offered by Senator Brookins.

Senate Resolution 1639 and 1640 offered by Senator Hall and all Members.

Senate Resolution 1641 offered by Senator Demuzio and all Members.

Senate Resolution 1642 offered by Senator Severns.

And Senate Resolution 1643 offered by Senator Maitland and all Members.

And Senate Resolutions 1644 and 1645 offered by Senator Ralph Dunn.

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They are all congratulatory and death resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. ...(machine cutoff)...Geo-Karis, for what purpose do you arise? I'm sorry. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR GEO-KARIS:

One of our distinguished colleagues...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator. Can we have some order, please?

SENATOR GEO-KARIS:

We're celebrating the birthday of one of our distinguished colleagues, who has reached that interesting mark in life where he's only five years old. None other than - five plus zero is five, you know - than our own Senator Robert Madigan. Want to wish him a happy birthday and many more.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh! Congratulations. Happy Birthday, Bob. Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I just wanted to inform everybody, there's plenty of cake down in front, so come on down and have a piece of cake on me. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Resolutions.

SECRETARY HAWKER:

Senate Resolution 1646 offered by Senator Topinka.
It is congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. Senator Rock. I'm sorry.

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Senator Severns, for what purpose do you rise? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President. I would also like to move for immediate consideration of a congratulatory resolution. Senate Resolution 1642.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Has it been -- all right. Senator Severns is seeking leave of the Body to go to the Order of Resolutions for a -- consent -- a congratulatory resolution that apparently she needs right away. Is leave granted? Leave is granted. Senator Severns has moved the adoption -- on the Order of Resolutions, she has moved the adoption of Senate Resolution 1642. All in favor will indicate by saying Aye. Opposed, Nay. The Ayes have it. The resolution is adopted. All right. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would request a Democratic Caucus immediately in Room 212. Senator Philip has informed me that he too intends to have a caucus, and so I would suggest, after their request, that the Senate will stand in recess until two o'clock for the purpose of these caucuses.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Geo-Karis.

SENATOR GEO-KARIS:

There's an Executive Appointments meeting at two o'clock, as you know. But the -- Mr. President and Ladies and Gentlemen of the Senate, the Republicans are asking for a Republican Caucus in Senator Pate -- Senator James "Pate" Philip's Office, immediately after we recess this morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Republican Caucus in Senator Philip's Office. Democratic Caucus in Room 212. The Senate will stand in recess

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till the hour of two o'clock.

(RECESS)

(SENATE RECONVENES)

PRESIDENT ROCK:

All right. Ladies and Gentlemen, if I can have your attention. I have asked the Secretary to distribute both a Recall List and a Supplemental Calendar. When we begin in the regular Session we will begin on the Order of Motions in Writing to Override Total Vetoes; then Item Vetoes; then the Restoration Motions; and then Motions to Accept Specific Recommendations for Change. Then we will go to the Supplemental Calendar on the same order - the motions that -- that deal with Gubernatorial action. Then we will go to the Order of Motions in Writing. There are a number of motions filed with respect to bills that are on the Calendar. If, indeed, the motion prevails, further action will take place. If the motion doesn't prevail, obviously, it will not. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, we were supposed to have had a Executive Appointments meeting at two o'clock, and I don't think it took place. Is it rescheduled?

PRESIDENT ROCK:

No. It was -- it -- Senator Kelly indicated that would be after adjournment -- after the Session.

SENATOR GEO-KARIS:

Today?

PRESIDENT ROCK:

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Yes. I understand there are a couple of gubernatorial appointees who are awaiting our action, and as soon as we adjourn we will -- Senator Kelly, I'm sure, will convene us in 212. In the meantime, we have the First <sic> Special Session. Why don't we deal with the paperwork on that and get that out of the way, and then we'll go to the regular Session. We'll begin at page 26. Senator Brookins, for what purpose do you seek recognition?

SENATOR BROOKINS:

Thank you, Mr. President. In the gallery - the President's Gallery - we have guests from Local Union 880 of the Home Care Workers' Union. They're from Peoria, Chicago, Rockford and East St. Louis and other cities across the State, and they're in the gallery above us.

PRESIDENT ROCK:

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

SENATOR TOPINKA:

A point of personal privilege, Mr. President.

PRESIDENT ROCK:

State your point, please.

SENATOR TOPINKA:

We have, serving as a Republican Page today in an honorary capacity, Randy Kantor, who is the President of the West Suburban Young Republicans' Organization, which covers the townships of Cicero, Proviso, Berwyn, Riverside and Lyons. And I think if we all welcomed him and put him to work that would be great.

PRESIDENT ROCK:

Will our guest please wave and be recognized? Welcome to Springfield.

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(SECOND SPECIAL SESSION)

(See Second Special Session Transcript)

(REGULAR SESSION RECONVENES)

PRESIDENT ROCK:

All right. The regular Session, Madam Secretary. I guess we have to switch gears. All right. The regular Session will please come to order. We will begin at page 26 with the motions that have been filed with respect to gubernatorial action. And we will go in the order listed on the Calendar and then move to the Supplemental Calendar on the same order of business. Committee Reports, Madam Secretary.

SECRETARY HAWKER:

Please be advised that effective today, December 1, 1992, Senator Steven Rauschenberger will serve on the following Senate Standing Committees: Executive Appointments and Veterans' Affairs; Finance and Credit Regulations; Insurance, Pensions and Licensed Activities; Labor; State Government Organization and Administration.

Thank you for your attention to this matter.

Very truly yours, Senator Sam Vadalabene, Chairman of the Committee on Committees.

PRESIDENT ROCK:

All right. That'll be journalized. All right. If I can direct your attention, Ladies and Gentlemen, to page 26 on the Calendar. Page 26. We will begin right at the top and move immediately through all the listed motions. There's a motion filed with respect to House Bill 1129. Senator Leverenz. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

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I move that House Bill 1129 do pass, the veto of the Governor to the contrary notwithstanding.

Filed by Senator Leverenz.

PRESIDENT ROCK:

Senator Leverenz.

SENATOR LEVERENZ:

Thank you, Mr. President. In this Motion to Override the Veto of the Governor, I think that, although the points that he makes may be well-intended, the fact of the matter is what we did in the regular Session was, I believe, the right thing to do. House Bill 1129 deals with the Cycle Rider Safety Training Act and Program, and the fund in which the money is deposited. By what we did in the spring, it would allow federal, State and private funds to be received and utilized by the Department for expanded safety training. We know that the safety training works, and that the number of accidents is reduced as a result of the program. This changes the current fund to a trust fund, so that State Government cannot borrow from it, and at the same time allows private funds to be deposited in it. This is not a precedent. It does blend or work with what we passed earlier this year called the Public Use Trust Act, which is a Public Act currently, and it would work in conjunction with that. I'd ask for your Aye vote to override the Governor's veto. Answer any questions that you might have.

PRESIDENT ROCK:

The Gentleman has moved passage of House Bill 1129, the veto of the Governor to the contrary notwithstanding. Discussion?
Senator Watson.

SENATOR WATSON:

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

PRESIDENT ROCK:

Indicates he will yield, Senator Watson.

SENATOR WATSON:

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Senator, I understand that there's no fiscal impact in regard to this. Is that correct?

PRESIDENT ROCK:

Senator Leverenz.

SENATOR LEVERENZ:

That is correct.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

How is this money generated?

PRESIDENT ROCK:

Senator Leverenz.

SENATOR LEVERENZ:

Thank you for the question. It is generated from fees for -- seven dollars for an annual fee and three-fifty for each semiannual fee on motorcycle registrations. That is how the money is generated. It now goes into a fund. This would make it a trust fund.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

So then those people who are participants in motorcycling are actually paying for the -- the training that goes on in this particular program. Is that correct, sir?

PRESIDENT ROCK:

Senator Leverenz.

SENATOR LEVERENZ:

You are entirely correct. This goes back to the user, and it is contributed to from the fees for -- on motorcycle registrations.

PRESIDENT ROCK:

Senator Watson.

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SENATOR WATSON:

Well, I would just rise in support of the motion. One thing that this will enable to happen is, some private money will be made available to this fund, possibly. It will allow those motorcyclists to go out and possibly raise funds that can go into help education of motorcycle riding. I -- I think this is an excellent idea, and I certainly support the Gentleman's motion.

PRESIDENT ROCK:

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I -- I rise in opposition to this motion. I think it does, indeed, set a poor precedent. What it -- what it does would be to set up a special fund which would be beyond the purview of the General Assembly. I think this is something that we should not do. It is not good government. I would urge a No vote on this motion.

PRESIDENT ROCK:

Further discussion? Senator Leverenz, you wish to close?

SENATOR LEVERENZ:

Thank you very much, Mr. President. To the last speaker: I don't know that this sets up any type of precedent that we do not already have, and it surely does not change the General Assembly's oversight in the matter. And further, as we now see with the Supreme Court, these funds will be continued to be audited for public information. This is consistent with the Public Use Trust Act. Simply, it says that those that contribute through their registration fees will have the money designated specifically for the use of the program. And further, as we know, State money is not going to be added to this. You have to look for another way to fund it, and you fund it with outside private resources. This would allow private money, perhaps from the manufacturers, also to

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be used and to expand the program so that we do not see less training be done, but indeed, more training be done. As Senator Watson said - I think he was right on point - there is no legislative -- or fiscal impact of the bill. I would implore you to follow his lead on that side of the aisle. Ask for your Aye vote to override the Governor's veto. It was done in the House overwhelmingly. It received forty votes in the spring Session. I would ask for another forty votes to override the veto.

PRESIDENT ROCK:

Question is, shall House Bill 1129 pass, the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 Ayes, 6 Nays, 1 voting Present. House Bill 1129, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. 2954. No. 3221. All right. We're in Motions in Writing to Override Item Vetoes. The middle of page 26. Senator Luft. 2703. If I can have your attention, WICS, WCIA and WLS-TV have requested permission to videotape. Without objection, leave is granted. Page 26, at the bottom. Senator Demuzio. There's a Motion in Writing, under the Order of Motions in Writing to Restore Item Reductions, there's a Motion in Writing with respect to House Bill 2703. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move that the item on page 91, line 3, of House Bill 2703 be restored, the item reduction of the Governor to the contrary notwithstanding.

Filed by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

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SENATOR DEMUZIO:

Thank you very much...

PRESIDENT ROCK:

Wait till we get some order. Ladies and Gentlemen, please, may we have some order? We should and we will be able to move through this Calendar rather expeditiously if we can just have some order. I would ask the visiting House Members to please take their conferences off the Floor. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a restoration of three hundred and seventy-five thousand dollars to Department of Children and Family Services' bill that went to the Governor. It contained this additional -- amount, and the community services portion has never received an increase -- not a single dime -- from the Department of Children and Family Services, and therefore, I think it behooves us now to restore this money, and I would appreciate your help and ask for your positive support.

PRESIDENT ROCK:

All right. The Gentleman has moved that the item on page 91, line 3, of House Bill 2703 be restored, the item reduction of the Governor to the contrary notwithstanding. Is there any discussion? If not, the question is, shall the item on page 91, line 3, of House Bill 2703 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 11 Nays, 1 voting Present. The item on page 91, line 3, of House Bill 2703, having received the required majority vote of Senators elected, is declared restored, the item reduction of the Governor to the contrary

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notwithstanding. Senator Di Turi. Madam Secretary, there's a motion filed by Senator Di Turi with respect to House Bill 2703. Read the motion, please.

SECRETARY HAWKER:

I move that the item on page 744, line 7, of House Bill 2703 be restored, the reduction -- the item reduction of the Governor to the contrary notwithstanding.

Filed by Senator Di Turi.

PRESIDENT ROCK:

Senator Di Turi.

SENATOR DI TURI:

Okay. My friends -- thank you, Mr. President. This is what it's all about. Father McDermott, Haymarket House, I have drug-free babies in my arms. DASA works. Read my lips - DASA works. State funding works. These babies are born drug-free, because it works. Help me; that's all I can ask for.

PRESIDENT ROCK:

The Gentleman has moved that the item on page 744, line 7, of House Bill 2703 be restored, the item reduction of the Governor to the contrary notwithstanding. Discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank -- thank you, Mr. President. I would like to report that my speaker's light does not go on, so I thank you for recognizing me. It's a very hard statement to make, and it's certainly a very important one. My family -- my daughter and son-in-law have taken - last June - two cocaine babies. One of them - the little girl - is on an apnea monitor and she is also on a heart monitor. The little boy, who is a month younger, is on an apnea monitor. So I understand how important it is for us to have drug treatment and help for these mothers of these cocaine babies. One child's mother was heroin, cocaine and alcohol. The other child's mother is cocaine and alcohol. So I understand how

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important this is. However, the original budget that the Governor -- that we put in for the Governor was not touched and has not been reduced. In addition, 1.3 million was added in the House in grant money for this program. Now there are many, many social programs that are extremely important in the State of Illinois. I admit that this is one -- a great and important program, and I am so happy that these babies that Senator Di Turi is showing are indeed drug-free. I wish our two children were also. However, I must say for us to be able to do the things that we have to do in the future, I think we do have to hold the line on the budget at this time for the Governor, and I will have to very reluctantly not vote to put more money than has been already added in the House, and the original money that was agreed to be affordable in this budget has stayed in the budget.

PRESIDENT ROCK:

I'd ask the Membership, please lend your attention. We have nine people who have indicated they wish to be heard. Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Members of the Senate. I rise in support of this motion, because I think to do -- to -- not to restore this line item is to be penny-wise and dollar-foolish. I think Senator Di Turi has demonstrated -- since he's been here, several times he has given a report as to what progress we're making in reference to saving these babies, and he also talked about the cost that we are paying -- the State is paying when these children are born addicted to drugs. Now either we will pay it -- less through prevention or we will pay the price for those babies being in hospitals and keeping those babies in hospitals for extraordinary lengths of time. And most of them, the State will take care of these babies the rest of their lives, and their mothers. It took me a very long time to get you to accept and to

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-- to support this project. It took about two years for me to do that. Three years ago we were willing to put the money in. We've seen some results, and -- and all he's asking that we continue the program, because it works. I think we owe that to the people -- to these babies and to the citizens -- taxpayers of the State of Illinois.

PRESIDENT ROCK:

Further discussion? Senator Jacobs. Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I stand in strong support of the override of House Bill 2703 for a number of reasons, of which not the least is the fact that it does work and that it is actually a cost reduction. But I think there's another thing that we have to make very clear, and that is that the original budget included -- the bottom line has not been changed by this action. All it merely is is a transfer from operations to treatment, and it did not change the bottom line. I think we further should look at this bill from a matter of compassion and also as a matter of being futuristic thinkers, that if we can save a few dollars today -- or spend a few dollars today to save many, many dollars in the future, I think that only makes good sense. Last week we turned our backs on the POWs; we turned our backs on the senior citizens; we turned our backs on all of the cities of this State. Now what I hear from some of the speakers is that we're going to turn our backs on crack babies. I don't think that's right. I think we should support this override. I understand the Governor has beat the devil out of the other side of the aisle. I understand that he is attempting to ensure that he holds the line, but even if -- even if this cracked his budget by a few bucks, we also have to remember that Economic and Fiscal and the Bureau of the Budget are basically in agreement that we are bringing in more money than what we anticipated.

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Therefore, to spend some dollars today to save us many, many dollars in the future makes good sense. In addition to that, Senator Di Turi, it's your last bill, and I want to see you go out with a big victory, and I know it's one you care about very much. I ask for a override.

PRESIDENT ROCK:

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I, too, rise in support of this bill. Drugs, as we all know, is one of the most serious and devastating plagues affecting our entire country. I'm sure if I took a quick poll in this room, you would -- each of you, perhaps even in your own families and certainly across the nation, know of people who are affected. So when we talk about a program that works and that can, in fact, keep us from having children of the future affected by drugs, then I think we are obligated to support that. Otherwise, what we have is a situation -- drugs being an incremental and cumulative consequence to families across the board. This is a chance to vote now for something that affects the entire body politic - the whole of the community. Let us not be, as Senator Senator Collins said, penny-wise and pound-foolish. By voting for this, you will keep from having to vote for something far more costly in the future. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President, Members of the Senate. Sometimes in this Chamber, as we stand here, we have to make decisions. Sometimes they're difficult decisions. Sometimes those decisions are based on politics, and I think we all understand that. But sometimes those decisions shouldn't be based on politics. They should be based on people and what's best for people. Some of

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those decisions may be a short-term loss, but a very big long-term gain. And that is exactly what this bill represents. It's a very small short-term loss - restoring the money back to last year's level; no increase - but a huge long-term gain, in terms of saving the lives of many cocaine babies and allowing these mothers to be cocaine-free and be productive members of society. What other long-term gains are there? How about getting a chance to get a job and get off welfare to save the State dollars, and really be an integral part of society? That's what we're here for. Let's view some of these decisions as political, but let's differentiate between which ones are political and which ones are people. This is a people bill, a children's bill, not an increase - just a restoration. And by God, let's do the right thing for the kids and the people.

PRESIDENT ROCK:

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand as one who can testify by the mintage of her heart about the program, about the cocaine babies, and that it does work. It was my privilege to visit Haymarket about a half a month ago, and I saw the mothers who had been admitted there and they were cocaine-addicted and they were pregnant, and they are given three months, and when the baby is born, he is cocaine-free. What the mother then is looking forward to is rehabilitation - that she can go out and get a job, raise her child, and become a taxpayer here in the State of Illinois. But if you deny them the opportunity of the program that they are asking for right now to restore, the State of Illinois will -- for 10, these many years -- and you're talking about raising monies and taking off monies, and cutting monies, and -- you're going to have to raise money, increase your budgets, because of what you did not do now. It is

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better to do it now and save these babies that they come in this world good citizens - strong babies - that they can go out and make it for themselves. You saw an action of it today with these mothers and their babies. I say to all of us here, let us put our vote on the green and say, "Yes, we're going to support them, restore this money, and let them go farther, because this is the State of Illinois that we are trying to protect, and the State of Illinois are people - citizens of this State of Illinois." And I know you're going to do your part. Don't think politically. We're coming to a Christmas season. Please be giving and think of others instead of yourself. Thank you.

PRESIDENT ROCK:

Further discussion? Senator Demuzio. Your light was on. Okay. Further discussion? Senator Di Turi, you wish to close, please?

SENATOR DI TURI:

Oh, yes, 'cause this is not a Democrat or Republican issue. It's an issue of the heart. Please help me, for these kids; let them get a chance to live. Let them be born drug free. Why should they suffer when we have State plan that's working? Vote with our hearts. God bless you and thank you for being so kind to me in my stay in the Senate.

PRESIDENT ROCK:

Question is, shall the item on page 744, line 7, of House Bill 2703 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 20 Nays, 6 voting Present. The item on page 744, line 7, of House Bill 2703, having received the required majority vote of Senators elected, is declared restored,

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the item reduction of the Governor to the contrary notwithstanding. All right. Ladies and Gentlemen, we'll move now to the top of page 27. Top of page 27. On the Order of Motions in Writing to Accept Specific Recommendations for Change, there's a motion filed with respect to House Bill 3187. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3187, in manner and form as follows:

Amendment to House Bill 3187

in Acceptance of Governor's Recommendations

Filed by Senator Jacobs.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Governor was right whenever he vetoed this bill. There -- needed some clarification that was needed regarding the role of a law enforcement officer in obtaining a blood sample. It made it appear in the original bill that the officer himself had to take the blood sample. It's a DUI bill that passed out of the Senate 52 to nothing. I ask for support of the Motion to Accept the Specific Recommendations of the Governor.

PRESIDENT ROCK:

All right. The Gentleman has moved acceptance of the Governor's specific recommendations for change with respect to House Bill 3187. Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3187, in the manner and form just stated by Senator Jacobs. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? Take the

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record. On that question, there are 57 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 3187, having received the required constitutional majority vote of Senators elected, are declared accepted. All right. We have motions filed by Senators Demuzio, Luft, Cullerton and Dart. If they're ready, we're going to proceed here. Senator Demuzio, are you ready on House Bill 3290? Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3290, in manner and form as follows:

Amendment to House Bill 3290

in Acceptance of Governor's Recommendations

Filed by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the bill that required a minimum jail term of forty-eight consecutive hours or a minimum of one hours -- hundred hours of community service for persons who are convicted of a second DUI or an aggravated DUI. The Governor made some clarifying language with respect to the mandatory minimum sentences, and makes the specified minimum terms of community service that's consistent with Senate Bill 2169. They're technical in nature. I would move that we accept the Governor's recommendations.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor's veto to House Bill 3290, in the manner and form just stated by Senator Demuzio. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please

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take the record. On this question, there are 58 Ayes, no Nays, none recorded as Present. And the specific recommendations of the Governor as to House Bill 3290, having received the required majority of Senators elected, is declared accepted. House Bill 3674. Senator Luft. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3674, in manner and form as follows:

Amendment to House Bill 3674

in Acceptance of Governor's Recommendations

Filed by Senator Luft.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The -- there was a drafting error in House Bill 3674, and that drafting error deleted language which prohibited a savings bank from continuing, retaining or maintaining acquired branches. This would have forced savings and loans, who under good faith and under the law, had gone out and purchased branches and would require these branches to close. So it deletes that language and now puts back into law the ability of savings and loans to maintain these branches. So I would move that we accept the recommendations of the Governor on House Bill 3674.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3674, in the manner and form just stated by Senator Luft. 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 58 Ayes, no Nays, none recorded as Present. And the Senate -- and the specific recommendations of

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the Governor as to House Bill 3674, having received the required majority of votes of Senators elected, is declared accepted. House Bill 3884. Senator Cullerton. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3884, in manner and form as follows:

Amendment to House Bill 3884

in Acceptance of Governor's Recommendations

Filed by Senator Cullerton.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I would move to accept the specific recommendations of the Governor. This bill deals with the Trauma Center Fund where there would be a five-dollar fine on traffic tickets over fifty-five dollars. The revenues would be deposited into this Fund, and divided equally between the Department of Public Health and the Department of Public Aid. The payment methodology affected - and was somehow connected with - the Medicaid Trauma System, and as a result of our assessment bill that we passed, that required that this bill have some technical changes. That's all they are. The bill was accepted -- the motion was accepted in the House 116 to nothing, and I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Question is, shall we accept the specific recommendations -- question is, shall we -- the Senate shall accept the specific recommendations of the Governor as to House Bill 3884. 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

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are 58 Ayes, no Nays, none recorded as Present. And the specific recommendations of the Governor as to House Bill 3884, having received the required majority vote of the Senators elected, is hereby declared accepted. House Bill 4188. Senator Dart. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 4188, in manner and form as follows:

Amendment to House Bill 4188

in Acceptance of Governor's Recommendations

Filed by Senator Dart.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dart.

SENATOR DART:

Thank you, Mr. President, Members of the Senate. I move that we accept the specific recommendations of the Governor as regards to House Bill 4188. The Governor made numerous deletions in this bill dealing with court fees and the like. He also made some changes in the expungement provisions. In 1992 the Legislature passed House Bill 4188, which expands expungements to cover cases in which a pardon has been granted. By this amendatory veto of September 25th, 1992, the Governor has recommended a change that would limit an expungement only to a pardon which specifically authorizes expungement. A narrow interpretation of this might preclude expungement for all prior pardons. This was not the Governor's intention. He was concerned because some pardons have been granted in the past for specific limited purposes, such as to allow an individual to obtain a particular license with the express understanding there would be no expungement. In order to make expungements available for appropriate pardons, the intent of both the Governor and the Legislature has been clarified in the legislative record during the veto Session of November, 1992, by

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statements of the sponsor and those who -- and that those who have been pardoned previous to this legislation may apply to the Governor for amendment to their pardon explicitly granting or limiting the right to an expungement. I would ask for a positive vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall we accept the recommendations -- the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 4188, in the manner and form just stated by Senator Dart. 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 58 Ayes, no Nays, none recorded as Present. And the specific recommendations of the Governor as to House Bill 4188, having received the required majority vote of the Senators elected, is hereby declared accepted. Ladies and Gentlemen, if you'd please turn to Supplemental Calendar No. 1. The middle of the page. Motions in Writing, Override Total Vetoes, appears House Bill 3605. Senator Welch. Out of the record. Motions in Writing to Restore Item Reductions. House Bill 2703. Senator Rea. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move that the item on page 761, line 8, of House Bill 2703 be restored, the item reduction of the Governor to the contrary notwithstanding.

Filed by Senator Rea.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rea.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. This would restore the one million in basic health services grants to counties, which, if it is lost, would cause a serious cutback in

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services, and the money needs to be restored there. This is a prevention measure, and if we're really talking about health as being a top priority and cutting down the costs, this is one of the best investments that we can make, and certainly needed by the Public Health Department, and grants programs that provide direct services to the people. I would move that we override the Governor's reduction veto.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? Question is, shall the item on page 761, line 8, of House Bill 2703 be restored, the item reduction of the Governor notwithstanding. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? O'Daniel. Have all voted who wish? Please take the record. On this question, there are 30 Ayes, 27 Nays, none recorded as Present. And the item on page 761, line 8, of House Bill 2703, having received the required majority of those Senators elected, is declared restored, the item reduction of the Governor to the contrary notwithstanding. Senator Maitland, what purpose you seek recognition? Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. A verification...(machine cutoff)...the roll call, sir.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Verification is in order. Would the Membership kindly be in their seats? Verification is in order. Would the Membership please be in your seats? Please verify the affirmative vote.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, Dart, del Valle, Demuzio, Di Turi, Dunn, Hall, Holmberg, Jacobs, Jones, Joyce, Kelly, Lechowicz, Leverenz, Luft, Marovitz, Munizzi, O'Daniel, Palmer, Rea, Savickas, Severns, Smith, Welch and Mr. President.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Maitland, are there any questions of the affirmative vote? Senator Maitland, please.

SENATOR MAITLAND:

Senator Savickas.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He's on the -- he's on the Floor.

SENATOR MAITLAND:

Senator Dunn.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Dunn. Senator Dunn. He's on the Floor. Anyone else? All right. On this question, there are 30 Ayes, 27 Noes, none recorded as Present. And this bill, having received the required majority vote of Senators elected, is declared restored, the item of the reduction of the Governor to the contrary notwithstanding. That applies to 2703, page 761, line 8. House Bill 2703. Senator Severns. Read the motion, Madam Secretary.

SECRETARY HAWKER:

I move that the item on page 110, line 34, through page 111, lines -- line 1 through 3, of House Bill 2703 be restored, the item reduction of the Governor to the contrary notwithstanding. Filed by Senator Severns.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. The personal assistants who work in the Home Services Grant Program met -- met with me this summer, and it's a program that affects thirteen thousand personal assistants who are paid four dollars and fifty cents an hour. What those personal assistants do, in essence, is help prevent individuals who otherwise would be placed in a nursing home, from going to that home. It helps provide that

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individuals - with the help of these personal assistants who are paid four dollars and fifty cents an hour - it helps provide that these individuals, many of them disabled, can stay in their own home. These personal assistants who are paid four dollars and fifty cents an hour, were promised a fifteen-cent - fifteen-cent - increase in this last year. We provided that overwhelmingly by this General Assembly, and the Governor decided to cut it by 1.4 million, taking away that fifteen-cent increase. Governor Edgar justified this veto on the grounds that caretakers in similar human service programs did not receive an increase. What his veto message doesn't say is that those caretakers make seven dollars and ten cents an hour. What we're hoping for - and what I'm asking for your support for - is that the caretakers who make four dollars and fifty cents an hour today, who provide a great service in my judgment, across every corner of this State -- those thirteen thousand caretakers - many of them elderly themselves - receive the fifteen-cents hourly increase that they were told they would get. The restoration would amount to 1.4 million, and it's a restoration that I believe is worthy of our support. I'll be happy to answer any questions, and would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I rise in support of this motion. I have put in the same bill, Senator Severns, unknowing that we had put them in together. But I can testify that these folks do go into the homes. It is a savings to the State. It is a savings to our budget, and therefore, they are deserving of this. And it's merely a cost of living, and it's fifteen cents. So I urge an Aye vote on this.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Any further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I guess to kind of reiterate what Senator Severns and Senator Brookins has said, I recall about eight or ten years ago when these people first came down - these personal care attendants and the people they served - and came into the appropriation meeting, and I think they really impressed us probably more than any other group we have ever seen. These people who came in in wheelchairs - who could not have been there but for the personal care attendants - who had come on the train at great difficulty to explain to us what it is like to be at home, in bed, unable to move, have someone with a key to their apartment, who they depend upon to get them out of bed, dressed and get to a job or get to school, or get to the doctor. These people - these personal care attendants - are critical to them having any dignity of life whatsoever. The cost, as Senator Severns pointed out, of placing the people in their charge in a nursing home is anywhere from three to six times the cost of giving them a little help, a little dignity to stay at home, and to be cared for by someone who gets them up and lets them go to work. This three-and-a-half-percent raise to allow people to continue to work with dignity, both those who are giving care and those who are receiving it, is something we can absolutely afford, both morally and socially and fiscally. And I would urge support.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Mr. President, Members of the Senate. The same argument can be made for so many other people working in State Government. The fact of the matter is, this is an additional cost of 1.4 million dollars. How do you respond to

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the people who aren't here, who are not getting those rate increases? Other home care workers for DORS -- the DORS Program are not getting it. Aging workers are not getting it either, and I think it's a matter of equity here, and something that we ought to deal with either in the aggregate or not at all, and I would choose the latter, and I would urge defeat of the motion.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. When you think of fifteen cents an hour - think of that - fifteen cents an hour. These people are deserving, as well as others, but these are the things that we have. And I would hope that everybody would put their green lights up here. Can you imagine? It's hard to get a candy bar for fifteen cents an hour. And you can't really buy one when you think of it. But these people are deserving of that. When you think that people cannot get out of the bed; they can't get into the chairs; they have to depend on someone coming and keeping their keys. It's -- it's -- I just tell you, for this to happen, and we're dragging our feet talking about it, doing something for people -- I'm just telling you, it's a shocking, shocking thing to me. I just cannot believe that here we are today quivering <sic> over giving somebody fifteen cents an hour. And the other people that you mentioned, Senator, I'm -- I want them to have it. In fact, we need everybody doing this. This -- I heartily -- wholeheartedly support this.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Severns, to close.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I think Senator Maitland made a good argument, and I would agree with his argument if all home care assistants were paid the same hourly

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wage. The hourly wage of the home care assistants that Senator Maitland is speaking of are paid seven dollars and ten cents an hour. The home care assistant that we're trying to get a fifteen-cent hourly rate increase for is paid four dollars and fifty cents an hour. I'm certain the home care assistants in this motion would forgo their raise if they could meet the hourly wage of the other assistants, but that simply isn't the case. I would hope that we would keep our promise and restore this 1.4 million dollars in this motion. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the item on page 110, lines 34, through page 111, lines 1 through 3, of House Bill 2703 be restored, the item reduction of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please take the record. On that -- on that question, there are 30 Ayes, 23 Nays, 3 recorded as Present. And the items on page 110, line 34, through page 111, lines 1 through 3, of House Bill 2703 are restored -- having received the required majority of the vote of Senators elected, is declared restored, the item reduction of the Governor to the contrary notwithstanding. And we want a verification, by Senator Maitland. What purpose Senator Etheredge seek recognition? Okay. Verification by Senator Maitland. Would the Membership please be in your seats? Would the people in the gallery kindly refrain from any type of demonstration? Please verify the affirmative vote.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Cullerton, Dart, del Valle, Demuzio, Di Turi, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, Joyce, Kelly, Lechowicz, Leverenz, Luft, Marovitz, Munizzi,

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O'Daniel, Palmer, Rea, Savickas, Severns, Smith, Welch and Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Maitland, any questions of the affirmative vote?

SENATOR MAITLAND:

Is Senator Jones on the Floor?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Yeah. Senator Jones - he's sitting in his chair, or one of them anyway.

SENATOR MAITLAND:

Senator Savickas.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Savickas? He's on the Floor. Please -- any other questions, sir? On this question, there are 30 Ayes, 23 Nays, 3 recorded as Present. And this bill, having received the majority of the Senators elected, is declared restored. House Bill 2703. Senator Brookins, on his motion. Read the motion, Madam Secretary. Oh! It's same one. You want to take it out of the record? Out of the record. Motions in Writing, Acceptance of the Special Recommendations from the -- from Change, appears House Bill 1352. Senator Welch. 1352. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1352, in manner and form as follows:

Amendment to House Bill 1352

in Acceptance of Governor's Recommendations

Filed by Senator Welch.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. House Bill 1352 basically created the Kankakee River Dam Transfer Act. It included an amendment

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that the Governor didn't like. What the amendment did was provide for a one-time exemption from the general debt limitation for a particular school district. It gave a one-time exemption from the two-thirds majority needed to issue school bonds. The Governor said we shouldn't make any exemptions - everybody should be treated the same - and he amendatorily vetoed the bill. I would move to accept the recommendation of the Governor.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1352, in the manner and form just stated by Senator Welch. 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 57 Ayes, no Nays, none recorded as Present. And the specific recommendations of the Governor as to House Bill 1352, having received the required majority vote of Senators elected, is declared accepted. Howard. Senator Brookins. Thank you very much. House Bill 2979. Senator Rea. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 2979, in manner and form as follows:

Amendment to House Bill 2979

in Acceptance of Governor's Recommendations

Filed by Senator Rea.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Rea, please.

SENATOR REA:

Thank you, Mr. President, Members of the Senate. The amendatory veto clarifies the requirements of the rental agreement as it relates to out-of-state rental agreements on cars, and I would move to accept the Governor's amendatory veto.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2979, in the manner and form stated by Senator Rea. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? On this question, there are 58 Ayes, no Nays, none recorded as Present. And the specific recommendations of the Governor as to House Bill 2979, having received the required majority of the vote of Senators elected, is declared accepted. Please turn to page 3 on the Supplemental Senate Calendar, appears House Bill 3519. Senator Jones. Emil. Emil. 3519. Read the bill, Madam Secretary.

END OF TAPE

TAPE 2

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3519, in manner and form as follows:

Amendment to House Bill 3519

in Acceptance of Governor's Recommendations

Filed by Senator Jones.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Yes. Thank you, Mr. President and Members of the Senate. I accept the Governor's recommendation for change. And what he did in his amendatory veto he increased the biennial renewal fee from

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thirty-five dollars to two twenty, and delayed the effective date from July 1, 1993 to July -- I mean from January 1, 1993 to July 1, 1993. So I accept those changes, and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3519, in the manner and form just stated by Senator Jones. 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 58 Ayes, no Nays, none recorded as Present, and the specific recommendations of the Governor as to House Bill 3519, having received the required majority vote of the Senators elected, is declared accepted. House Bill 39 -- I'm sorry, 3555. Senator Holmberg. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3555, in manner and form as follows:

Amendment to House Bill 3555

in Acceptance of Governor's Recommendations

Filed by Senator Holmberg.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 3555 is merely the clean-up language for ISAC, and the Governor has made some technical changes by deleting duplicative language regarding ISAC, and I would move to accept his specific recommendations.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3555, in the manner and form just stated by Senator Holmberg.

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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 57 Ayes, no Nays, none recorded as Present. And the specific recommendations of the Governor as to House Bill 3555, having received the required majority vote of the Senators elected, is hereby declared accepted. House Bill 3598. Senator Davidson. Can we have your attention, please? Thank you. Please read the bill, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3598, in manner and form as follows:

Amendment to House Bill 3598

in Acceptance of Governor's Recommendations

Filed by Senator Davidson.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, I move to accept the amendatory changes, 'cause what it does is -- they're technical changes to correct a drafting error that was done when this bill was drafted. Move to accept the amendatory veto.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3598, in the manner and form as stated by Senator Davidson. 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 58 Ayes, no Nays, none recorded as Present, and the Senate -- and the Senate accepts the specific recommendations of the Governor as to House Bill 3598. This bill, having received the required majority vote of

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Senators elected, is declared accepted. 3843. Senator Welch.
Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3843, in manner and form as follows:

Amendment to House Bill 3843

in Acceptance of Governor's Recommendations

Filed by Senator Welch.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill affected tipping fees allowing municipalities and highway commissioners to be reimbursed for expenses incurred in removing waste illegally dumped on public property. The Governor agreed with that provision of the bill. The bill also directed the EPA with the ENR to develop recommendations by July 1, of '93 and give them to the Pollution Control Board concerning compost and compost facility regulations. The Governor didn't like that date and he changed it from July 1, 1993 to January 1, 1994, and I am agreeing with the Governor, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Watson. Your light was on. Okay. The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 3843, in the manner and form as stated by Senator Welch. 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 57 Ayes, no Nays, none recorded as Present. And the specific recommendations of the Governor as to House Bill 3843, having received the required majority vote of the Senators elected, is declared accepted. House Bill 3867. Senator

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Philip. Read the bill, Madam Secretary.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 3867, in manner and form as follows:

Amendment to House Bill 3867

in Acceptance of Governor's Recommendations

Filed by Senator Philip.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Evidently the Governor's Office and the Secretary of State have agreed on this amount of money. It reduces his request from 6.2 million to 2.2 million for new license plates. I move that we accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as -- as to House Bill 3867, in the manner and form just stated by Senator Philip. 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 56 Ayes, 2 Nays, none recorded as Present, and the specific recommendations of the Governor as to House Bill 3867, having received the required majority of the vote of Senators elected, is hereby declared accepted.

PRESIDENT ROCK:

Senator Jacobs, for what purpose do you arise?

SENATOR JACOBS:

Point of personal privilege, Mr. President.

PRESIDENT ROCK:

State your point, please.

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SENATOR JACOBS:

Sitting in the President's Gallery today we have a very good friend of mine, who also is the former United Township High School football coach, and is also the offensive line coach for Augustana College and was the offensive line coach leading Augustana to a number of national championships, and I would just -- he's a recently retired teacher, and I would just like to have him stand and be introduced by this Body.

PRESIDENT ROCK:

Would our guest please stand and be recognized? Welcome to Springfield. All right. Ladies and Gentlemen, we have yet remaining about probably thirty minutes of work. I would ask you to bear with me. There have been a number of requests from Members, and there are a number of Motions in Writing that have been filed to deal with specific bills and specific proposals, and I would ask the Membership - those who are putting forth the motion - to please explain what they are about so that there will be no misunderstanding. With leave of the Body, we'll move to page 19 on the Calendar. Senator Luft wishes to non-concur and requests a conference committee. Page 19 on the Calendar. ...(machine cutoff)...ask the Membership please to pay attention. None of the -- none of this will obviously be final action, but there are a number of Members who wish to pursue their Motions in Writing to deal with a specific piece of legislation. Senator Luft has requested that we go to the Order of Secretary's Desk, Concurrence, for Senate Bill 1519, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1519.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would ask that the Senate

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non-concur in House Amendment No. 1 to Senate Bill 1519, and a conference committee be set.

PRESIDENT ROCK:

Senator Luft has moved to non-concur in House Amendment No. 1 to Senate Bill 1519. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Ladies and Gentlemen, if I can direct your attention to page 24. Page 24 on the Calendar. There are a number of Motions in Writing that have indeed been filed. Top of page 24, on the Order of Motions in Writing, House Bill 178, Madam Secretary.

SECRETARY HAWKER:

I move to suspend the appropriate Senate rules in relation to House Bill 178, so that the bill may be considered by the Senate. Filed by Senator Rea.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

Thank you, Mr. President. I would move to suspend the appropriate Senate rules in relation to House Bill 178, so the bill may be considered by the Senate. And this is a request by the Department of Employment Security, in terms of a -- the federal law -- changes in federal law for clarification. There is a conference committee that's been -- report that's been worked on, and this is already agreed by labor and by management, and would ask for an Aye vote.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend the rules. Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. For the benefit of any of you on our side of the aisle who may not

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have heard Senators -- Senator Rea's explanation, this Motion to Discharge in this bill, in shell form at the present, but it has been -- the procedure has been agreed upon by both labor and commerce -- or labor -- labor and business, and I would too recommend passage in supporting the discharge motion.

PRESIDENT ROCK:

All right. Senator Rea has moved to suspend the rules so that House Bill 178 can indeed be considered. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it's so ordered. House Bill 1918. Senator Jacobs indicates he wishes to wait. House Bill 2134. Senator Luft. Madam Secretary, read the motion.

SECRETARY HAWKER:

I move to suspend the appropriate Senate rules in relation to House Bill 2134, so that the bill may be considered by the Senate. Filed...

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I offer an amendment to House Bill 2134...

PRESIDENT ROCK:

Well, no, were on the motion.

SENATOR LUFT:

Oh, I'm sorry.

PRESIDENT ROCK:

We're not there yet.

SENATOR LUFT:

I'm sorry. Oh, I'm sorry. I move to have House Bill 2134 recalled for the purpose of an amendment.

PRESIDENT ROCK:

All right. The motion is to suspend the rules for the

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consideration of House Bill 2134, which will be amended to have some technical amendments. All in favor of the motion. Any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended and that -- the motion carries. We will get to that order, because it sits on the Calendar on the Order of 3rd Reading. Motion with respect to House Bill 3325, Madam Secretary.

SECRETARY HAWKER:

I move to suspend the appropriate Senate rules in relation to House Bills -- House Bill 3325, so that the bill may be considered by the Senate.

Filed by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This motion pertains itself to House Bill 3325. There's an amendment that needs to be offered. It creates the Young Farmer Guarantee Program and a number of other items that I think Members are interested in, so I would move to suspend the appropriate rules so that we in fact can consider 3325.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend the rules so that House Bill 3325 can be considered. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the rules are suspended. 626 will be held. Senator del Valle on HJR 91. Senator Woodyard on House -- House Joint Resolution 108. Madam Secretary, read the motion, please.

SECRETARY HAWKER:

I move to discharge the Committee on Executive from further consideration of House Joint Resolution 108, and that it be placed

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on the Calendar on the Order of Secretary's Desk.

Filed by Senator Woodyard.

PRESIDENT ROCK:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. This resolution is identical to a resolution -- a Senate resolution that we passed last spring, but due to some changes in Washington, I would move to suspend the appropriate rules to be able to hear this House Joint Resolution in our Chamber. It simply got to us from the House too late last spring to be considered in Executive Committee.

PRESIDENT ROCK:

All right. The Gentleman has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 108, and asks that it be placed on the Order of Secretary's Desk, Resolutions. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. If I can direct your attention now, Ladies and Gentlemen, please, to the Supplemental Calendar. Page 2 on the Supplemental Calendar. Senator Berman has a Motion in Writing with respect to House Bill 760. 760, Madam Secretary.

SECRETARY HAWKER:

I move to suspend the appropriate Senate rules in relation to House Bill 760, so that the bill may be considered by the Senate. Filed by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I make that motion in order to waive the rules. House Bill 760 -- it would be my intention to bring it back to 2nd Reading, put on an amendment to advance the

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date for the abolition of the Cook County Regional Superintendent of School's Office.

PRESIDENT ROCK:

All right. Senator Berman has moved to suspend the rules so that we may consider House Bill 760. Discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDENT ROCK:

Indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Is this -- is this legislation limited to the Cook County -- Superintendent of Schools?

PRESIDENT ROCK:

Senator Berman. Berman.

SENATOR BERMAN:

Yes, ma'am.

PRESIDENT ROCK:

All right. All in favor of the motion, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended, and House Bill 7 -- the motion carries. All right. Ladies and Gentlemen, those bills that we have just -- I will ask the Secretary now -- those bills that we have just suspended the rules on are found on page 9 on the Calendar. Page 9 on the Calendar. We will, with leave of the Body, revert to the Order of House Bills 3rd Reading, and we'll start right at the top of page 9. On the Order of House Bills 3rd Reading is House Bill 760. Senator Berman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 760, Madam Secretary.

SECRETARY HAWKER:

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Amendment No. 2 offered by Senator Berman.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. So that we are clear, if the amendment is adopted and moves to 3rd we -- we would get to this tomorrow - not -- not today. The amendment has come to us from the President of the Cook County Board of Commissioners. What it does is to advance from August 7th of 1995, to December 1st, 1993, the abolition of the Office of the Cook County Regional Superintendent of Schools, and as I indicated to Senator Fawell, it is only that office of Cook County Regional Superintendent of Schools that is affected by this bill. The bill -- the amendment would limit to three functions that would be assumed -- the bill would limit to three the functions that would be assumed by the Cook County Board, and those three functions are teacher institutes, bus driver permits and the GED Testing Program. All other functions would be transferred to the State Board of Education, as it was intended to do when the original bill was adopted that abolished it in '95. I'd be glad to respond to any questions. Solicit your Aye vote.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of Amendment No. 2 to House Bill 760. Discussion? Senator Topinka.

SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, when this first came up - and -- and I discussed this not only with President Phelan but with others - it seemed like a good idea, because it moved the departure of Superintendent Martwick and that whole office, which -- which should be done. I think this Legislature, by and large, understands that this is a useless office. All the functions thereon can be handled very nicely by

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the -- the State Superintendent. Well, with this amendment now, we do leave three functions behind for Cook County to continue to do. And the more that I look at these things, the more uncomfortable I become with that, because of a number of reasons. First of all, I see the possibility of this leading up to a -- a -- a junior version of Richard Martwick with just three programs, all of which generate a lot of money. So as a result, this may be a Martwick under a different name, a slightly reduced office, but useless nonetheless, except for those who may have political motivations. The second thing that I find troublesome is with the teacher institutes, because indeed if we're going to have the teacher institutes - and I would question what Cook County knows about that anyway over and above the State Board of Ed - the County Board would control this institute fund, but the monies would be generated through teachers -- the registration of teachers' certificates, which continues to be a duty that the State Board of Education would do. In other words, they do the work, they do the collection, but somehow the Cook County Board now winds up with the dough and gets to spread this around a bit. That makes no sense to me. I suppose by the time I start to really evaluating this, I am extremely uncomfortable as to what this does and what it could become, and I'd hate to think that we would then have to come back again to start on a Martwick-type of a bandwagon for someone other than Martwick who does exactly the same thing. So I would have a tendency to oppose this amendment, and I would encourage any others from Cook County to look at it in the same light.

PRESIDENT ROCK:

Further discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. Senator Berman, since we -- since we've talked on whether -- you know, what we were going to do with

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this, I've been trying to get some direction and some information from the State Board and from other entities. And I find out now that the State Board is against this bill, they're against changing the date to December 1st, 1993. They want it July 1st, 1994, because a lot of these duties are going to be dumped on them, and they need some time to get revved up to do that. So in addition to some of the comments that Senator Topinka made, I would be opposed to this bill now because the State Board would like to see some compromise on the date change, and I think perhaps this is something that could wait till we've discussed it further.

PRESIDENT ROCK:

Further discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Palmer.

SENATOR PALMER:

Senator Berman, I just wanted to know -- it was my understanding when I talked with one of the board representatives down here - I'm talking about the Cook County Board - that the question of how the responsibilities presently under Superintendent Martwick -- how they would be divided were still under consideration and had not actually been decided upon yet. But according to your amendment, you're saying that three of them will remain with the county. So have I been misinformed, or did I not understand it correctly? The decision has been made; is that clear?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Senator Palmer, this -- this amendment reflects the will of

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the Cook County Board or -- President Phelan, and this is their recommendation to -- how to divide the functions of that office. So, I -- I guess this is their request, and if we respond this is the way it'll be done.

PRESIDENT ROCK:

All right. Any further discussion? Senator Berman, you wish to close on the adoption of the amendment?

SENATOR BERMAN:

Thank you. I don't think there was any strong feelings here regarding the merits of abolishing this office. The reason we had adopted the 1995 date was that was the end of the term - when we adopted the original bill - that Mr. Martwick was elected to. And in order to keep in conformity with the wishes of the electorate, we picked that date. Mr. Martwick has now left; that is one reason for the advancing of the date. I don't know the difference between December 1st and July 1 of '95; I would suggest, however, that one of the reasons is -- I'm sorry, July 1, '94 -- one of the reasons is that the county board is on a fiscal year that begins on December 1st. That's why they're requesting that these changes be made. I would think that between now and tomorrow we could try to work out that difference and see if it's really meaningful or not, so I would ask your support today. This is only 2nd Reading; let's put it on and address the differences tomorrow.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of Amendment No. 2 to House Bill 760. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. I'd call your attention, Ladies and Gentlemen,

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to the Recall sheet that was passed out -- that. We are on the Order of House Bills 3rd Reading, but there is a Recall sheet that would indicate what amendments have been filed with respect to what bills. 1918 was held at Senator Jacobs' request. 2134. Senator Luft. Page 9. Senator Luft seeks leave of the Body to return House Bill 2134 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 2134, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senator Luft.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Amendment No. 1 to House Bill 2134 is a result of -- they're technical amendments as a result of JCAR's response to the Illinois Banking Act. One of the technical amendments permits the commissioner's examination reports of a bank to be made available to the bank's holding company board of directors. We also deal with the EFT Act, which permits the notice to the commissioner of the establishment of a point of sale terminal to be delivered after the installation of the terminal. And the IBA wish to have incorporated into the Act the Uniform Commercial Code, which limits the payor's bank's liability to only actual damages for the late return of a demand item to the depository bank, and requires organizations which need a perfected security interest in a depository account to provide written acknowledgment of the consent to the provider. I'd try to ask -- answer any questions, or else move for the adoption of Amendment No. 1 to House Bill 2134.

PRESIDENT ROCK:

Gentleman has moved the adoption of Amendment No. 1 to House

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Bill 2134. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. How about 2949, Senator Luft? I guess not. Senator Demuzio. Senator Demuzio. 3325. Page 11, Ladies and Gentlemen, right in the middle. Senator Demuzio seeks leave of the Body to take Senate -- House Bill 3325 back to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3325, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 1 offered by Senators Demuzio, Brookins, Woodyard and Maitland.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much, Mr. President. This amendment is indeed offered by myself, Brookins, Woodyard and Maitland, and it would amend the Farm Development Act, and it would create the Young Farmer Program. It authorizes the Department of Agriculture to require the equine infectious anemia testing for Illinois horses, at the request of the Illinois Horsemen's Council, and it also clarifies the effective date of bow hunting season. I know of no opposition, and would move its adoption.

PRESIDENT ROCK:

Gentleman has moved the adoption of Amendment No. 1 to House Bill 3325. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

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SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. 3454. Senator Brookins seeks leave of the Body to return House Bill 3454 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3454, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Brookins.

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. This amendment requires all operators of motor vehicles and every passenger to be protected by a helmet; establish standards for an approved helmet the same as federal guidelines. I ask for a favorable vote.

PRESIDENT ROCK:

All right. Senator Brookins has moved the adoption of Amendment No. 2. Is there 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:

Is your amendment one that provides helmets for motorcycle drivers?

PRESIDENT ROCK:

Senator Brookins.

SENATOR BROOKINS:

That is correct.

PRESIDENT ROCK:

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Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I'd like to speak against this amendment. This has been tried time and time again, and I think it's time we stop trying to be big brother to everyone and let the motorcycle drivers drive the way they want to. There's safety and there's no safety in these helmets, and I speak against this amendment.

PRESIDENT ROCK:

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. So you all here know - in the Body - what this amendment does, this is the mandatory helmet bill. Now this is a bill -- this amendment seeks to do what this Body defeated very strongly this past spring. As a matter of fact, last spring the Illinois Senate only put twenty-three votes on that bill with thirty-three people in this Body being against it. I can go through the same arguments that we used last spring to defeat this bill, but I see no need of that, and Mr. President, if the No votes don't prevail, I certainly would seek a roll call vote on this amendment.

PRESIDENT ROCK:

All right. That request for a roll call is in order. Further discussion on the amendment? Senator Brookins, you wish to close?

SENATOR BROOKINS:

Mr. President, and Members of the Assembly, if we do not pass this bill now, the cost to the State and monies lost by laws and rules and regulations passed by the -- the Federal Government will cost the State of Illinois money. It is time to pass this bill. Not only will it save us money; let me assure you that it will save lives. If that isn't important, I don't know what is important. People that are laid up in hospitals all over

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Illinois, and even some in Wisconsin and Michigan, which is being paid for by taxpayer dollars of Illinois for rehabilitation - this will be a savings to them. I ask for a favorable vote.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of Amendment No. 2 to House Bill 3454. Those in favor of the amendment will vote Aye. Opposed will vote Nay. A roll call has been requested, 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 14 Ayes, 33 Nays, 1 voting Present. The amendment fails. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. Top of page 12 on the Order of House Bills 3rd Reading is House Bill 3807. Senator Cullerton seeks leave of the Body to return House Bill 3807 to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 3807, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Cullerton.

PRESIDENT ROCK:

Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President and Members of the Senate. This amendment would make minor changes to the legislative map. The effective date is July 1st of 1993. It would affect the districts involving Representative or Senator-elect Farley, Representative Levin and myself, also Representative Lou Jones, Representative Steczo, Representative-elect Rosemary Mulligan, Representative

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Balanoff, Representative Morrow and one precinct in Kewanee, which is in Senator Hawkinson's district. The deviation in these changes remains within one person and there's no blocks that are separated. Be happy to answer any questions. I would ask for an Aye vote.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of Amendment No. 2. Discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Well, thank you, Mr. -- thank you, Mr. President. Ladies and Gentlemen of the Senate, I haven't seen this amendment, but staff has informed me that, in fact, it affects ten Senate districts and fifteen House districts. What you're trying to do, Senator Cullerton, is not just affect your own house - putting it into the district. What you want to do is change the entire map. That's exactly what you're going to do. You know this redistricting process is all over. You had an opportunity to run in a district that you currently reside in; you chose to run in another district. Well, the results are in, Senator. You won in that district; your opportunity now is to move into the district which you won. We all had that same option. Some of us chose to run, others chose to retire, others ran and lost. This map, Ladies and Gentlemen, has been challenged, it has gone through the entire judicial process, it went all the way up to the United States Supreme Court, and it was upheld. I -- I submit, please don't change it. Vote No against this amendment and let's keep the map as it is.

PRESIDENT ROCK:

Any further discussion? Senator Cullerton, you wish to close?

SENATOR CULLERTON:

Well, let me just at least clarify the record so that you know what districts are affected. It changes a House district, that

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Representative Mulligan was elected in; does not change Senator Butler's Senate district. It changes the two House districts, I think a woman by the name of Krause, and Mulligan. It affects Senator-elect Farley's district - moves him from one House district to the other, which the division came down his alleyway. Representative Lou Jones lives across the street from her district; it puts her back in her district. Representative Steczo is about a block out of his district; it puts him back in the district. My house is four hundred feet away; puts my house back in the district, along with Representative Levin. Representative Balanoff lives across the street from his district; puts him in. And Representative Morrow lives also literally across the street. I would also point out that in the district in Kewanee, there's a lady who voted in this general election who is the only person in a precinct, so that her vote is a public vote - not a private vote. And again in doing this, there was every -- the -- the goal was to affect as few people as possible while keeping the deviation as small as -- keeping it within one person and not separating any blocks. And so, I hope you understand what the motivation was -- was to make a very, very minor change only to accommodate the fact that when these boundaries were drawn - perhaps inadvertently, perhaps intentionally - people were put outside their district. And that's the reason for the change. And you're right - the election is over; and that's all the more reason, it seems to me, to support this at this time.

PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of Amendment No. 2; he has closed. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, parliamentary inquiry. How many votes does this take?

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PRESIDENT ROCK:

The adoption of an amendment -- we are only on the amendment stage. The adoption of the amendment will take a majority of those voting on the question. Roll call has been requested. All right. The Gentleman has moved the adoption of Amendment No. 2 to House Bill 3807. Those in favor of the amendment 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 31 Ayes, 27 Nays, none voting Present. The amendment is adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. All right. Ladies and Gentlemen, again, if I can direct your attention to page 17 on the Calendar. Page 17. There are two motions filed on the Supplemental Calendar No. 1 that are filed with respect to House Bills on 1st Reading. I -- the Secretary will read the House Bills on 1st Reading, and after reading the bills a first time, the motions that have been filed will be in order. Senator Dunn and Senator Demuzio. Read the bill, Madam Secretary.

SECRETARY HAWKER:

House Bill 3475 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

House Bill 4216 offered by Senator Demuzio.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

All right. We will move immediately to the Order of Motions in Writing. There's a motion filed with respect to House Bill 3475, which has just been read a first time. Madam Secretary, read the

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motion, please.

SECRETARY HAWKER:

I move to suspend all appropriate Senate rules so that House Bill 3475 may be considered by the Senate and be placed on the Order of 2nd Reading.

Filed by Senator Thomas Dunn.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you. Apologize for the delay. This motion would suspend all the appropriate Senate rules so that this bill would be considered by the Senate and be placed on the Order of 2nd Reading. This deals with the Prevailing Wage Act, and would make it apply to utility companies.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend the appropriate rule and ask that House Bill 3475 be placed on the Order of 2nd Reading, without reference, and be exempt from the rule's constrictions. Discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to this bill and in opposition to my good friend, Senator Dunn, with all due respect, but it has an awful lot of things wrong with it. Now, rather than speak to the merits - or the demerits, in this case - of the bill, I will simply suggest to the Members here that what we are trying to do here is to circumvent the process - the committee process. This bill has not been heard adequately, if at all, in committee. It needs to be heard. There are far-reaching and serious provisions within -- within the bill, and I think that, in all fairness, it should have a hearing. It is not something we have to act on or do today. So I would strongly encourage you Members to think

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about this. Let's give it some time and let's not rush into this and do something that we shouldn't be doing right now in this rather preemptory fashion.

PRESIDENT ROCK:

All right. The Motion to Suspend will require thirty affirmative votes. Senator Dunn, you wish to close?

SENATOR T. DUNN:

Thank you, Mr. President. I urge an Aye vote.

PRESIDENT ROCK:

All right. Senator Dunn has moved to suspend the appropriate Senate rule so that House Bill 3475 may be considered by the Senate, and ask that it be placed on the Order of 2nd Reading. Those in favor of this motion 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? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 28 Nays, none voting Present, and the motion fails. There's a Motion in Writing with respect to House Bill 4216, Madam Secretary. Read the motion, please.

SECRETARY HAWKER:

I move to suspend all appropriate Senate rules so that House Bill 4216 may be considered by the Senate and be placed on the Order of 2nd Reading.

Filed by Senator Demuzio.

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a little controversial matter that pertains itself to the Downstate Firefighters Article in the Pension Code, and it's in reference to survivor benefits, and it would in fact exempt the State mandates. I know that you probably have heard

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some -- from your constituents on both sides of -- of the aisle, but I think it's something that we need to consider, and I would move that -- that we do in fact consider it in this Session.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend the appropriate rules so that House Bill 4216 may be considered by the Senate, and asks that it be placed on the Order of 2nd Reading. Discussion on the motion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I must rise in opposition to this Motion to Suspend the Rules, and probably this is the best place to end this bill, Ladies and Gentlemen. Amongst -- amongst the things that this circumvents is the agreed process as far as between the cities and the pensions. Although that may have -- that time period may have expired, there still is a point of contention there. But more importantly, I think we all campaign and we're all concerned about property taxes, and, Ladies and Gentlemen, this is a fourteen-million-dollar hit on cities Downstate as far as their pension funds and there are -- no limit on their levies that they would be placing upon their property taxes. So there is a lot of things in this that merit -- opposition, but I would point out to you those things right there, that I would ask that this motion be defeated.

PRESIDENT ROCK:

Any further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Mr. President. I would echo Senator Madigan's comments, and point out to you that this is another intrusion into the local government responsibilities. In my own district this is going to amount to about five million dollars over some time, and we ought to be careful again if we -- that -- that we do not foist our -- our wishes on -- on municipalities in particular, who --

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who can't afford what we're doing to them. So unless we've got guts enough to raise taxes to pay for these things, we ought to have guts enough to say No once in awhile.

PRESIDENT ROCK:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I don't rise so much in -- in opposition or favor to this legislation, 'cause I think there's a lot of merit in it. But I guess I've got a question whenever we start throwing around figures like -- excuse me, Senator -- mayor -- Senator Butler, but five million dollars, it's going to cost? I mean, I don't know where or how your mayor came up with that kind of figure, at five million dollars - I don't have a pen here real quick to figure it out, but you must have pretty close to a million - or a hundred thousand, I should say - firefighters that are retired. I -- I just don't think that these figures that we're hearing are accurate, and I think that the cost of this is going to be a lot less than anyone is - is pronouncing it to be. And as a former mayor, I stand in support of this.

PRESIDENT ROCK:

Further discussion? Senator Topinka.

SENATOR TOPINKA:

A question of the sponsor, if I may?

PRESIDENT ROCK:

Sponsor indicates he'd be delighted to yield.

SENATOR TOPINKA:

Would this be considered the same type of unfunded mandate that at least in Cook County we had a referendum on in the November election that roughly eighty percent of the public said, "Quit sending unfunded mandates down to our local municipalities." Would that qualify as one of these?

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PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

I -- I really don't know; I don't have the answer to that. I'd be glad to look it up and get back to her, but I just don't have that at my fingertips.

PRESIDENT ROCK:

Senator Topinka.

SENATOR TOPINKA:

My suggestion would be as you look you may consider the fact that that is indeed an unfunded mandate, which almost eighty percent of our electorate in the referendum process in the November election said please stop doing, Legislature, 'cause you're killing us.

PRESIDENT ROCK:

All right. Further discussion? Senator Demuzio, you wish to close?

SENATOR DEMUZIO:

No, I -- I think this brings some equity to the fire -- Downstate Firefighters as we do with the Downstate Police Pension Fund Program, and I think we're looking here for equity, and I would ask for your support on this motion.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend the appropriate Senate rules so that House Bill 4216 may be considered by the Senate, and asks that it be placed on the Order of 2nd Reading. Those in favor of this motion will vote Aye. Those opposed will 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 29 Ayes, 21 Nays, none voting Present, and the motion fails. There's a Motion in Writing with respect to Senate

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Bill 130, Madam Secretary.

SECRETARY HAWKER:

I move to suspend all appropriate Senate rules with regard to Senate Bill 130 so that the bill may be considered by the Senate. Filed by Senator Woodyard.

PRESIDENT ROCK:

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President and Members of the Senate. Senate Bill 130 would be used for noncontroversial rather technical clean-up language for the Department of Conservation. There are three components that are being considered putting in this conference committee report, so thus I would seek adoption of the motion to suspend the rules.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend the appropriate rules so that Senate Bill 130 may be considered by the Senate. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Senator Dunn, you had a motion with respect to House Joint Resolution 163. Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President and Members of the Senate. I'd like to move to discharge the Executive Committee from further consideration of House Joint Resolution 163, and it be placed on the Secretary's Desk.

PRESIDENT ROCK:

All right. The Gentleman has moved to discharge the Committee on Executive from further consideration of House Joint Resolution -- House Joint Resolution 163, and ask that it be placed on the Order of Secretary's Desk, Resolutions. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it.

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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 adopt the First Conference Committee Report on Senate Bill 1071, and requests a Second Committee of Conference to consider the differences between the two Houses in regard to Amendment No. 1.

Action taken by the House, December 1, 1992.

PRESIDENT ROCK:

All right. Senator Welch, I assume, will move to accede to the request of the House for a Second Conference Committee. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and the Senate does accede to the request of the House. Ladies and Gentlemen, we're about five minutes away -- or less from adjournment here. There's been a request by Senator Jones to go to the Order of Conference Committee Reports. If I can direct your attention, with leave of the Body, we'll turn to page 20. Page 20. In the middle of the page there's a Conference Committee Report on House Bill 3815. House Bill 3815. Senator Jones. Madam Secretary, on the Order of Conference Committee Reports, there's a report with respect to House Bill 3815.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 3815.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I move that the Senate do not adopt the First Conference Committee Report on House Bill 3815, and request a second conference committee.

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PRESIDENT ROCK:

All right. The Gentleman has moved that the Senate do not adopt the Conference Committee, and asks for a second one. As you well know, the question is placed in the affirmative. So the question is -- if there is no discussion, the question is, shall the Senate adopt the Conference Committee Report on House Bill 3815. 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 10 Ayes, 13 Nays, none voting Present. The Senate does not adopt the Conference Committee Report on House Bill 3815. The Conference Committee Report is not adopted, and the Secretary shall so inform the House, and also inform the House that the Senator has requested the appointment of a second conference committee. Resolutions.

SECRETARY HAWKER:

Senate Joint Resolution 191 offered by Senators Madigan, Severns, Weaver, O'Daniel, Berman and Maitland.

It is substantive.

PRESIDENT ROCK:

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. I would ask that this resolution -- the proper procedures as far as the Executive Committee be waived and this resolution be placed on the Secretary's Desk. I have checked with the Chairman and Minority Spokesman of the committee and they see no problem with this.

PRESIDENT ROCK:

All right. The Gentleman has moved to suspend the rules and asks that this resolution, Senate Joint Resolution 191, be placed on the Order of Secretary's Desk, Resolutions. All in favor of that motion, indicate by saying Aye. All opposed. The Ayes have

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it. The motion carries, and it is so ordered. Further resolutions?

SECRETARY HAWKER:

Senate Joint Resolution 192 offered by Senator Severns.

It is substantive.

PRESIDENT ROCK:

Executive. Senator Kelly. Any further business to come before the Senate? I think we have accommodated everybody's request, at least as far as I am aware. You want a battleship named after you, or what do you want -- what do you need? All right. Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Thank you, Mr. President. The Executive Appointments, Veterans' Affairs Administration Committee will meet immediately following adjournment. We -- in Room 212. We're only having about three appointments, so it's going to be a very quick meeting. So Senator Butler and I would appreciate our Members being there, and we'll move along expeditiously with those appointments.

PRESIDENT ROCK:

All right. The Gentleman asks that all of us that are on Executive Appointments please join him in Room 212 immediately. House Bills 1st Reading, Madam Secretary.

SECRETARY HAWKER:

House Bill 3877.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT ROCK:

Any further business to come before the Senate? If not, Senator Demuzio moves that the Senate stand adjourned till Wednesday, December 2nd. Tomorrow at the hour of 11 a.m. - 11 o'clock tomorrow morning, Ladies and Gentleman. Eleven o'clock tomorrow morning. And don't forget Senator Kelly has requested

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that we all be down in Room 212 immediately for a very short meeting - very brief meeting. Senate stands adjourned until 11 o'clock tomorrow morning.

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