

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

14th Legislative Day

February 9, 1995

PRESIDENT PHILIP:

The regular Session of the 89th General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the gallery please rise. Our prayer today will be given by Pastor Wenneborg, Chatham Christian Church, Chatham, Illinois. Pastor Wenneborg.

PASTOR WENNEBORG:

(Prayer given by Pastor Wenneborg)

PRESIDENT PHILIP:

Will you please rise for the Pledge of Allegiance, given by Senator Petka.

SENATOR PETKA:

(Senate recites the Pledge of Allegiance, led by Senator Petka)

PRESIDENT PHILIP:

We have quite a few requests to film today: WAND, WCIA, WICS and Illinois Information Service. Is leave granted? Leave is granted. Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Tuesday, February 7th and Wednesday, February 8th, in the year 1995, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and approval of the Journal, pending the arrival of the printed transcripts. There being no objection, so ordered. We also have KHQA -- requests filming, and also WBBM-TV. Is leave granted? Leave is granted. Committee Reports.

SECRETARY HARRY:

Senator Madigan, Chair of the Committee on Insurance, Pensions and Licensed Activities, reports Senate Bills 211 and 225 Do Pass.

Senator Raica, Chairman of the Committee on Public Health and

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Welfare, reports Senate Bills 113, 216 and 217 Do Pass; and Senate Bills 8, 159 and 203 Do Pass, as Amended.

Senator Karpziel, Chair of the Committee on Executive, reports Senate Bills 20, 177 and 253 Do Pass, as -- as Amended; and Senate Resolution 6 Be Adopted.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Senate Bills 48 and 214 Do Pass; Senate Bills 160 and 182 Do Pass, as Amended; and Senate Joint Resolution 8 Be Adopted.

And Senator Peterson, Chair of the Committee on Revenue, reports Senate Bills 105 and 238 Do Pass; Senate Bill 76 Do Pass, as Amended, and House Bill 200 Do Pass, as Amended.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 19, offered by Senator Carroll.

It's substantive.

PRESIDENT PHILIP:

-- Whoop! Rules Committee. Introduction of Bills.

SECRETARY HARRY:

Senate Bill 379, offered by Senators Demuzio, Welch and others.

(Secretary reads title of bill)

Senate Bill 380, by Senator Sieben.

(Secretary reads title of bill)

Senate Bill 381, by Senator Hawkinson.

(Secretary reads title of bill)

Senate Bill 382, by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 383, by Senator Parker.

(Secretary reads title of bill)

Senate Bill 384, by Senator Petka.

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(Secretary reads title of bill)

Senate Bill 385, by Senators Smith, del Valle and others.

(Secretary reads title of bill)

Senate Bill 386, offered by Senators DeAngelis and Demuzio.

(Secretary reads title of bill)

Senate Bill 387, by Senators DeAngelis and Demuzio.

(Secretary reads title of bill)

Senate Bill 388, by Senators DeAngelis and Demuzio.

(Secretary reads title of bill)

Senate Bill 389, by Senators DeAngelis and Demuzio.

(Secretary reads title of bill)

Senate Bill 390, by Senator Walsh.

(Secretary reads title of bill)

Senate Bill 391, by Senator Madigan.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT PHILIP:

You know what... If I could have your attention for a minute, we -- we are going to go to 2nd Readings. I hope that everybody will be prepared, if they have amendments, to move their bills. Then we're going to go through -- to 3rd Readings. We hope to get through the whole Calendar, give everybody a shot at 3rd Reading. So -- and we'll probably use the timer, like we did yesterday. I think it worked pretty well. So without further ado, on the top of page 2, Senate Bills 2nd Reading. Senate Bill 72. Senator del Valle. Senator del Valle. Take it out of the record. Senator Demuzio.

SENATOR DEMUZIO:

Just a matter of inquiry: Are we still going to plan on being here tomorrow then, if we're going to go through the Calendar today?

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Yes. Senate Bill 84. Senator Karpziel. Read the bill.

SECRETARY HARRY:

Senate Bill 84.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 100. Senator Dudycz. Take it out of the record. Senate Bill 109. Senator Peterson. Senator Peterson. Read the bill.

SECRETARY HARRY:

Senate Bill 109.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted Amendment No. 1.

PRESIDENT PHILIP:

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 124. Senator Dillard. Read the bill.

SECRETARY HARRY:

Senate Bill 124.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senator Jacobs. 127. Read the bill.

SECRETARY HARRY:

Senate Bill 127.

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(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted Amendment No. 1.

PRESIDENT PHILIP:

Have there been any other Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 133. Senator Peterson. Take it out of the record. Senate Bill -- take it out of the record. Senate Bill 141. Senator Woodyard. Senator Woodyard. Take it out of the record. Senate Bill 158. Senator Geo-Karis. Read the bill.

SECRETARY HARRY:

Senate Bill 158.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Local Government and Elections adopted Amendment No. 1.

PRESIDENT PHILIP:

Have there been any other Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 164. Senator DeAngelis. Read the bill.

SECRETARY HARRY:

Senate Bill 164.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr. President.

PRESIDENT PHILIP:

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3rd Reading. Senate Bill 165. Senator Watson. Senator
Watson. Senator Watson. 165? Read the bill.

SECRETARY HARRY:

Senate Bill 165.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr.
President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 168. Senator Syverson. Senator
Syverson. 168? Take it out of the record. Senate Bill 180.
Senator Burzynski. Read the bill.

SECRETARY HARRY:

Senate Bill 180.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr.
President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 205. Senator Cronin. Senator
Cronin. Read the bill.

SECRETARY HARRY:

Senate Bill 205.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr.
President.

PRESIDENT PHILIP:

3rd Reading. Senate Bill 206. Senator Geo-Karis. Read the
bill.

SECRETARY HARRY:

Senate Bill 206.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr.
President.

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PRESIDENT PHILIP:

3rd Reading. Senate Bill 222. Senator Dudycz. Read the bill.

SECRETARY HARRY:

Senate Bill 222.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr. President.

PRESIDENT PHILIP:

3rd Reading. We're now on Senate Bills 3rd Reading, the middle of page 3. Senate Bill 10. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 10.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT PHILIP:

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. This is Senate Bill 10, and the contents of Senate Bill 10 is the legislation dealing with what we have called -- commonly called the fast-track legislation on welfare reform. Thank you, Madam President. This is Senate Bill 10, and as you all know - I believe you all know - this is the legislation dealing with welfare reform. And I want to preface my remarks by making a few statements. And you've heard me say this before because this issue - or the welfare reform issue - is something certainly not new to this Chamber, and I've been sponsor of various provisions over the years, feel very strongly about it. The problem that I see with welfare was in the 1960s, we declared war on poverty. And here we are, 1995, and I'm not sure what we've accomplished during those thirty-five years.

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We've thrown an incredible amount of money at -- at the situation. We thought we were establishing a safety net, and that's no longer the case, because what we're seeing now is simply generation after generation of dependency on what is commonly known as welfare. The poverty numbers continue to grow, and I think we need to have a new change of direction, a new philosophy. We need to break that chain of dependency, and that's what the initiative we have before us attempts to do. I like to say that what we're all about over here on this side of the aisle is helping people help themselves, but we also like to think that the individuals should be held accountable and responsible for their actions. That's what this legislation is all about. There are some eleven provisions in Senate Bill 10. Some of these have been debated on this Floor before; many of them have passed. There are some new provisions. But I will go through and briefly mention the eleven various provisions. One we call the "teen parent must live at home" provision. That says that if you are enrolled in AFDC, you are under the age of eighteen and never married, you must live with your parent, legal guardian or other adult relative. There are some exceptions in the Act. This is a statewide provision. Teen parents must stay in school. We feel over here, on this side, that education is important to getting someone off the dependency of welfare and get them out of poverty. Education is important. Many of the provisions in here revolve around education not only for the recipient, but for the children of the recipient. And we also feel that the family network is important, and that's what the first provision was all about, was trying to maintain some support for that young mother with the family. The second provision involving teen parents stay in school says that AFDC parents under the age of eighteen, who have never married, they must be working towards a high school diploma or a GED equivalent, or some educational training. This is a statewide

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initiative. The personal responsibility act is the one in which we say that if you are enrolled in AFDC - and you can enroll with whatever number your family unit may be, but if you are enrolled - and you have an additional child, your grant does not go up accordingly. This does not impact Medicaid; this does not impact food stamps. We also feel that it's important that the money that may be realized and saved from programs such as this be put back into trying to help the people help themselves. So we say that money that is saved from this, we are telling the Department of Public Aid that the savings must be utilized for training, for education, transportation, and especially one that I think we all are concerned about, and that's called transitional day care. The transitional child care as we now know it is twelve months. We would like to see that go to twenty-four months, because we feel -- we want to see the -- those individuals get out into the workforce, but we understand that day care can be a problem, that child care can be a problem. And we want to help those people maintain that job and stay in those jobs, and we think it's important to give them that type of assistance. Learnfare - it provides that if a child -- if children of AFDC families who are in the first through sixth grades have a chronic truancy problem, then the -- the Department of Public Aid shall refer that child and family to a social service agency who will hopefully assist that individual in getting that child back in school. That is a statewide initiative also, as resources permit. The child support enforcement - we are believers, again, in individuals being responsible for that -- their actions, and that includes fathers. This proposal would allow the Department of Revenue to collect child support in a similar fashion as they do now on income tax. This is a statewide initiative. We also allow for the Department of Professional Regulation to suspend licenses of those individuals who may be delinquent on their child support. It also

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affects the Attorney Act, so attorneys and those individuals who are licensed with the State of Illinois, their professional license could be in jeopardy if they do not pay their child support. We also feel that paternity -- establishing paternity is important, and this is a pilot program that says that during that first six months that an individual is enrolled in AFDC, we would like for that young mother, or that mother, to identify the father. Now, under certain situations, obviously that may not be able to be the case, and those exceptions are spelled out in the law, and in the bill. But if she does not cooperate within that six-month period, much of her benefits could be affected. Welfare to work - again, getting people off of welfare and onto a job. That's the next provision. This would say that if you are enrolled in AFDC and you have a child who is thirteen years or older, you must participate in a mandatory job search and you must accept employment. And if you are able-bodied, after a two-year period, you're off; the benefits are terminated. This is a statewide initiative. Court-ordered Earnfare - this would allow the circuit court to bring in an unemployed parent and mandate that they participate in the Earnfare Program and that part of the money that's being derived from that would then go for child support. We also require that an AFDC parent who has a child from the ages of five to twelve be involved in a mandatory job search program. And finally, because we think the system's broke - and I think most of us recognize that there's a lot of problems with the system that we now have not only in the State of Illinois, but certainly in federal level and other states who have taken similar initiatives - we say -- we sunset the AFDC Program, and that sunset takes place January 1st, 1999. And during that interim period, we ask the Department of Public Aid to come up with some ideas and solutions of what we might be able to utilize and replace the current program with something that truly does

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work. Madam President, be glad to answer any questions. I believe I've explained the provisions of the bill and welcome the debate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator Hall.

SENATOR HALL:

Thank you, Madam President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hall.

SENATOR HALL:

All right. What program will replace the current AFDC?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Senator, there's nothing specific. All we ask is that the Department of Public Aid come up with some ideas and possible solutions to -- to the problem that we now have. And, of course, the General Assembly would be the final -- have the final word.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hall.

SENATOR HALL:

Will the public be permitted to provide input concerning the formation of an alternative?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Certainly.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hall.

SENATOR HALL:

Well, is -- is this all in place now?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

We're attempting to do that today, Senator. We'd like to see this bill pass, and part of the provisions would be the -- I guess you're referring to the sunset on the AFDC Program. Of course, it would have to have passed the House and await the Governor's signature. At that particular point in time, then the Department would, over several months, and even years, periods of time, give us some recommendations that we would ultimately enact. And during that process, obviously, the public would have an opportunity for input.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hall.

SENATOR HALL:

Well, this is going to be a transitional rather than a permanent thing right now, right?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, I don't know if you're referring to the -- the bill itself or a particular provision in the bill, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hall.

SENATOR HALL:

We'd like to see some welfare reform, but I'm -- I meant I just don't want the train to pull out of the station and.... And is this going to be finalized in 1999, did you say?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

The provision of this legislation involving the sunseting of

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the current AFDC Program would be, yes, that particular date. But the rest of the provisions are not impacted by -- obviously, by the sunset provision.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further questions? Further questions? Senator Rea.

SENATOR REA:

Thank you, Madam President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Rea.

SENATOR REA:

Senator Watson, Senate Bill 10, does it contain any type of worker protection language which restricts the employers from using welfare recipients to displace union workers?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

No, it does not. Do you have a particular provision in here you could cite?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rea.

SENATOR REA:

As this bill moves through the House, would you be willing to take a look at that possible inclusion? And let me also ask you if, as a result, you would propose to the Governor that there be the incorporation of an anti-job displacement provision in the Administration's waiver to the federal Department of Health and Bureau Services on that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, I've told many individuals that I'm willing to sit down and discuss some changes in this legislation as it progresses,

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with a trailer bill or other provisions. I've talked to the -- I think the -- the advocates that you're referring to in AFSCME about how this might impact the public aid workers at -- at the local level, or public aid workers in general, and I told them that I would be willing to sit down with them and discuss language that they may propose. If that's -- if that's what you're referring to, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rea.

SENATOR REA:

Well, to speak to the bill, Senate Bill 10: I'm concerned about how fast a track that Senate Bill 10 is on. I think we all know that there has to be welfare reform and we support that, and we do need to make sure that we make the transition from welfare to work. But I'm concerned whenever a forty-nine-page document is put together overnight, and there has not been the opportunity for people throughout the State of Illinois to really make the input into this. I think we should slow this down and it would still be on fast track. We're early into the Session and we should give those opportunities, because I don't think that we, as legislators, are perhaps the most experienced in this area. I think there is -- there's a lot of people out there that would like to make input, that would make recommendations, whether they are working within the system or whether they are in some social service agency serving the public. There are many questions, just like Senator Hall was talking about earlier. You know, what will be the program that will replace the AFDC? And when you talk about will the public be included, will it be on fast track again to that extent and not really be the proper planning? Because regardless of the best system that we put together, it still is not going to be perfect. There's no way it's going to be perfect. So we need to look at many considerations as we are planning here.

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For instance, when we talk about the family cap, will all AFDC applicants and recipients have access to family planning services? When we talk about the court-ordered Earnfare, what impact will adding new persons to the program have to the Earnfare Program which is currently experiencing problems? So the only thing, I think that most of us truly believe that there does need to be welfare reform, but let's try to put together the best package we can, rather than jumping in here and not taking into consideration all the different factors, and even with that, it will not be the best.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, I think the voters of Illinois are entitled to have the welfare programs end up as payroll programs. We can't do that unless we make provision to have these young women who are unfortunate enough to get pregnant out of wedlock and have children, and yet they need help. They need also help to learn, to get some education so they can get a job. I can remember a young woman in my district who wrote to me and said to me, "I was on welfare for two years. I finally got a job. I got my self-respect back. Please don't let them close Fort Sheridan", where she was working at, "because I now feel like a whole citizen". I think a lot of these youngsters are unfortunate - maybe their parents haven't cared - but I've had people call me who've been on four generations of -- of public welfare and think it's horrible to try to make any improvements. Well, I can tell you one thing: One of the main reasons we have so many unfortunate people on these welfare rolls is because they don't have much time for learning; no one has cared. Well, we are caring. We are asking them to learn. We're -- we're making provision for them to learn, and I

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think this is a step in the right direction. We cannot keep going on a welfare-welfare program. We need payroll programs, and we're going to get payroll programs if we help these young people get a sense of responsibility. I had one young woman tell me she had four children. I said, "Who are the fathers?" They're all different. That's not the way to live. This is not America. This is a responsible country. We care about the less fortunate. But we have to institute a sense of needing to be wanted as a citizen, not just as someone who takes welfare constantly without any care about making any improvement or learning. And I certainly support this bill. I think it's a step in the right direction and we should try it, and I'm all for it and ask everyone else to support it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. The Calendar - today's Calendar, Senator Watson - indicates that this is the 14th Legislative Day. What that means is that in fourteen legislative days, you have brought to this Floor a bill that makes radical changes in AFDC. A bill that even the committee members, as has been the case with other committees, including the Education Committee, the committee members did not have an opportunity to see the amendment until the day of the committee hearing, where there was one hearing. There has been virtually no public input into this process in fourteen days. We say that we are going to, with this bill, sunset AFDC, but there is no replacement for it. We don't know what -- what's going to take the place of AFDC. And let me say that I'm one of the Members, with, I think, just about everyone in this Chamber, who wants to see radical changes in AFDC. We want to put people to work. I want a program that guarantees an opportunity for job placement - an opportunity. And we're not talking about

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guaranteeing a job, but at least an opportunity for job placement. I don't think that this bill does that. We needed to take time. This Body is ready to radically change public aid in this State, and this Body is ready to take the necessary time, until the end of this legislative Session, to do so. We don't have any problems with taking that time. We want that time. We want public input. Just yesterday, I talked to a representative from the Legal Assistance Foundation who told me that she was getting some very positive responses from your committee members to suggested amendments to this bill. There are a number of amendments that have been discussed. Yet, here we are today with this bill on 3rd Reading, moving it right along. What is going on here? We are fast-tracking everything, and now we're saying that we're going to sunset AFDC. We're not even mentioning the component of Public Aid which is the most expensive component - the one that takes up the most funds within the Public Aid budget - and that's Medicaid. What are we going to do about Medicaid? What are we going to do about the one billion dollars in that? Are we going to sunset Medicaid also? We know it sunsets at the end of -- of this Session. Have we come up with a plan that determines how we're going to pay the hospitals and how we're going to pay the doctors? We're taking time with that, aren't we? We take the necessary time to determine how we're going to take care of doctors and hospitals and nursing homes, but the client - the individual, the single parent, the mom, the unemployed - no, we can't take time to determine how we're going to help them get a job. We can't take that time. This has to be fast-tracked. It certainly looks good. The newspapers will write all about it. That side of the aisle will say, "We're doing it. We're taking these lazy people off of the welfare rolls." But I want everyone to know that this is an irresponsible approach. There is no need to be voting on this bill today without having considered - at least considered - amendments

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in committee and given the public an opportunity, and the advocates an opportunity, and those single moms an opportunity, to be heard. That is wrong.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Garcia.

SENATOR GARCIA:

Thank you, Madam President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Garcia.

SENATOR GARCIA:

Thank you. Senator Watson, in the past both the Department of Public Aid and the Governor's Office were opposed to the family cap provisions of this bill. Did they relate to you the reasons for their change in position regarding this issue?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

We've -- we negotiated with the Governor's Office and, of course, even with Members on our side of the aisle, with the House, discussing the various provisions of this particular bill, one of which is the personal responsibility provision that you've mentioned. The fact that we brought up the transitional child care provision, I think, had a lot to do with the support we're getting from not only our caucus, but the House and the Governor's Office. The concern for helping that young mother stay employed by subsidizing child care for an additional twelve months, if the money's available.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is that all? Senator Garcia.

SENATOR GARCIA:

Thank you. Senator Watson, regarding the AFDC recipient

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provisions of the bill, are there any mandatory support services, such as child care, transportation, et cetera, for recipients, to ensure that they, in fact, have a chance at getting off of welfare, going to school and finding a job? Any of those basic, essential things that will ensure a real -- that we achieve progress in that regard?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you. It's spelled out specifically that the Department of Public Aid would be required to use any savings, which may result in this whole, overall proposal, and put that money into, as I mentioned before, the transitional day care, transportation needs, which obviously are an important and a consideration that oftentimes is forgotten, and obviously job training and education.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Garcia.

SENATOR GARCIA:

So that the answer is, maybe if there are savings, there might be something, but proactively, there won't be anything to encourage people to facilitate that transition?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, we aren't establishing a new program here at all for those types of purposes, but we do say that if the money that is generally saved by initiating the proposals we have before us, we think - yes, we agree - that there are some problems with those people who are in -- on welfare, in poverty, and those problems revolve around transportation needs, child care -- subsidies, and education and job training. And we agree with you that that's an

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emphasis that should be made, and that's why it's in this particular piece of legislation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Garcia, bring your remarks to a close.

SENATOR GARCIA:

Thank you, Madam President. I will do precisely that. It is rather unfortunate that in this State, the words "public aid" and "welfare" have come to mean something bad and negative. They've almost become code words for something bad, when, in fact, it is important to recall that the part that is growing so fast in our State budget is the Medicaid budget, something that we have yet to grapple with this year about how we are going to meet the budget challenges to be able to pay those bills. Instead, we choose to blame single mothers who are dependent on AFDC and who depend on food stamps and on grants to help raise their children to get such basic things like milk and food for their babies. Obviously, this is a priority matter for the Party on the other side of the aisle, but the fast-track proposal has prevented real public and open-minded and creative deliberations on this bill. Thousands of people will be affected; their lives will be affected by this bill - over five hundred children and parents in the State of Illinois. The elimination of the AFDC program is bad. It is bad because no alternative has been put together yet. Instead, we are calling on the Department of Public Aid to do that, instead of legislating that through this Body, and through the Legislature, we are saying that, by rule, the Department of Public Aid will do that. To conclude, Madam President - and I thank you for the -- the opportunity - I just want to say that this reform is shotgun welfare reform; that it doesn't have a clear vision. It has no compassion. It is punitive, and it will be costly in the long-term to the State of Illinois. That's why I look forward to working with my colleagues on the Democratic Task Force for

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Medicaid and Welfare Reform, where we will be honest, we will be realistic about addressing the public aid needs, but also the Medicaid and the growing Medicaid crisis in the State of Illinois, and coming up with real solutions that will involve people throughout the State of Illinois. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

I will remind the Members that Senator Philip did put the timer on, and I will be adhering to that. Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. Senator Watson, I am -- I have come to appreciate and -- and trust your sincerity in this issue. I must say, initially I was cynical. I believe that your motivations are to break the cycle of poverty, and I can see where you might even become frustrated with the opposition. Let me give you, since I've done research on this in the last year, some of the reasons why people are cynical. There's myths about public aid. People are shocked when they hear the statistics. There's a public aid program that we spend this year maybe 1.6 billion dollars on that's been rising at a dramatic rate - a hundred and eighty-six percent over the last twelve years - that provides public aid for only sixty-seven thousand people in the State, and to talk about the issue of race, eighty-two percent of these people are of the same race. And it's a billion and a half -- over a billion and a half dollars. And, of course, I'm talking about the nursing home issue. And there's been a report on the Governor's desk since November 1st, commissioned by the Department of Public Aid, which shows where we can save over three hundred and -- two hundred and thirty-nine million dollars in that program, and we ought to do it. And it's fair, and we will do it. But it's not on the fast track. Instead, we're fast-tracking public aid. And -- let's just be honest. One of the concerns -

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it's just underlying this - is the issue of race, because seventy-one percent of AFDC recipients are black. So, I do not - and I'm being very sincere - do not question your sincerity, and there's many things in this bill that I agree with. It's just the motivation that people are cynical about. Now, the particular -- the particular efforts here to have a carrot-and-stick approach - in my opinion, the carrots are not enough. It's as simple as that. Having the family cap is just -- there's not enough incentive for people to -- to not have these children before we can just cut out their money. If you ask people what percentage of AFDC recipients who are parents are under the age of nineteen, ask them what percentage they think. I've -- I've done this this last week. Forty percent? Twenty-five percent? Sixty percent? I believe it's 3.7 percent. And yet, you'd think that the image that people have is that all these AFDC people are teenagers. It's a very small percentage of people that we're talking about, and it's a very, very major concern because we're not helping them. But I'm just trying to give you some of the -- some of the reasons why people are cynical. And I certainly appreciate your efforts. I'm going to vote Present on the bill. I think that there's more study that can be done to provide incentives for business to provide jobs for AFDC recipients. I don't think there's enough of that in here. I think we should take some time because it -- we've got plenty of time to -- to do this this Session.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton, bring your remarks to a close, please.

SENATOR CULLERTON:

Well, I -- I also appreciate the fact that we're on a fast track, Madam President, so I'll bring my -- I -- I will finish right now. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Further discussion? Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. And I do want to say that I truly appreciate you not abusing the power of the Chair, and I will limit my comments to the three-minute time that our honorable President has set. I, too, am in favor of welfare reform. As a matter of fact, under Senator Topinka - now our Treasurer - I was able to pass a bill out of her committee to change the Food Stamp Program, and I also have a couple of bills now that I think would help out a great deal, by allowing the recipients to receive their checks twice a month, rather than once a month, because it helps to -- them to balance their little, meager budgets and it helps to prevent crime. But I was told I had to hold that 'cause it wasn't going anywhere. Now, just like Senator Cullerton, I agree and I do believe that Senator Watson is sincere in his desires to do something about this terrible cycle that needs to be fixed, but there are two worlds out here, my friends. There's the world that you create for people, and there's the real world. The real world down in a community such as mine, which is one of the poorest in the State, is that a lot of these young ladies cannot stay at home - just can't do it. And I don't care what you regulate, I don't care what you legislate; they cannot do it. And who's going to suffer? The children are going to suffer. That's who's going to suffer: the children. And that -- that's a shame. We cannot be so -- on such a fast track, on everything, especially when it deals with the easy targets. The poor women, the poor children, they're easy targets. And I'm just -- I'm just -- I just don't even know what to say. Why always pick on the little easy target? The Republican Party has shown its strength across the nation. Why not show your strength and pick on some of the big boys? But, no, you always pick the little easy target. The poor little children, the poor little mother, does not stand a chance and are

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not going to survive. I plead to you, my friends - I'm not shouting at you today and I hope you'll listen to me, but sometimes seems like you don't listen unless I'm shouting - but I am pleading to you. It seems like in this Chamber, November 8th, compassion died November 8th, caring for humankind died November 8th, having a heart and a soul died November 8th. And you know what? I don't even come up for the prayer anymore. When I first got here, as naive as I was, I heard those great prayers. I couldn't wait, soon as I heard them make the call, because I wanted to get up here for the prayer. But you know what? I don't even come up for the prayer anymore because it is the height of hypocrisy, because as soon as the rabbi or the priest or the pastor sits down, everything he said about God and caring for mankind, and love and brotherhood, it goes straight down the tubes. So I just wait and I hold my -- my church and my prayer to the God that I love and all of us claim that we are with till I get back home, because I tell you, my friends, the Lord ain't in this Chamber anymore.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Smith.

SENATOR SMITH:

Madam Chairman, and to all of my colleagues here in the Senate, I speak to you this morning out of the mintage of my heart, because we are a legislative Body, and it is out of your hearts that you make the decisions for the people of the State of Illinois. There are so many people who are interested in this legislative Body, but they do not have the opportunity of coming into these particular Chambers, and they are dependent upon us who come here and maintain these Chambers and speak out of the mintage of your heart for the people whom you represent. And we are the spokesmen for people who cannot come into these Chambers and speak their concerns. I was delighted here last week -- this -- past

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week to see that we actually paid a privilege to our flag, which has been denied for, lo, these many years, and I've written about it, ask and request, because the flag is what we are representing here in these Chambers. I'm hoping that we who are legislators, who are representing the many areas of the State of Illinois are taking these things in serious consideration. And we here today are talking in terms of people -- not -- not just we, but we are representing people who live in our many districts. We are voicing the sentiments of people who live in our districts. And I'm hoping and praying to God, God knows I do, that as we talk about this particular area of concern here today, that you not think in terms of your particular community, because you have people all over the State of Illinois who are suffering today, people who are living under the ground, that are -- that they're waiting and have no way of living. But they are dependent upon us, who we are, here in this legislative Body here today, that you'll think in terms of them. Many of you are living in the suburban areas and people are very well-off, but they are suffering; still they are suffering. And there are people who are living in other areas of the City of Chicago and the State of Illinois...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Smith.

SENATOR SMITH:

And I'm going -- I'm going -- stop - who are not privileged to have what we have, where we are living well. But I'm asking you today that as you think in terms of your vote -- all you are so well-off. You are living well. Your people, your constituents are living well. But there are people who cannot live that well. And I'm asking you - I'm asking you - that as you cast your vote here today, that you think not only of yourself, but you think in terms of the people - the total people - of the State of Illinois.

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They're wanting to vote. They're wanting to have better ways of life. And I'm asking you that in casting your vote, think in terms of not just yourself, but think in terms of the people of the State of Illinois. Thank you, Miss -- Madam Chairman.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you. Miss -- Senator Smith. I will remind the Membership to please look at the -- the timer at the top, and I will cut you off from this point on. I'm sorry. I don't want to do that, but we have to. Next, Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. Questions of the sponsor...

PRESIDING OFFICER: (SENATOR DONAHUE)

It was timed perfectly, Senator Berman.

SENATOR BERMAN:

I was told I could get on the 12 o'clock news, so let's drag this out a few more minutes. Senator Watson... That's right. Senator Dunn deserves that. Drawing your attention to Learnfare provisions in here. That's a -- a plan that's to encourage children of welfare parents to attend school. I am -- according to our... Would you explain how this is supposed to work? What does the bill do?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, as I explained earlier, those individuals who are enrolled in AFDC, and they have children in the first to sixth grade, and they have a chronic truancy problem, we say that those individuals should go to a social service agency at the local level and work with those folks in maintaining or trying to create an atmosphere by which those young kids, from the grade -- age -- one through six, will go back to school. We think that's important. We think that they should be in school. And that's

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what this does.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

Well, I agree with you, and I think everybody agrees that they ought to be in school. What is the process? I see that there's a provision in here regarding protective payees. Does that mean that someone other than the -- for example, the mother, who's on AFDC, gets the check?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

That would be the social service agency at the local level: protective payee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

Thank you. How does -- how does Public Aid learn that Miss Smith's -- not Senator Smith's - hypothetical Miss Smith's child is not attending school regularly? What's that process? How are we -- is this a requirement of school reporting now to Public Aid?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

This is a school policy of what would be considered irregular attendance. The school would notify the Department -- the local agency.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

...funded -- this is a new unfunded mandate to schools to report regarding children of AFDC parents, as to their attendance.

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Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, as you know, the school funding is based on attendance, and I would assume that most people would like to have -- or most local school districts would like to have their numbers increased. Truancy takes away from those numbers, obviously, and this would help them in that regard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

So I gather that from your answer, the answer is, yes, this is a -- a new requirement for schools to report the attendance of AFDC children to Public Aid. Moving on...

PRESIDING OFFICER: (SENATOR DONAHUE)

Very briefly, Senator Berman.

SENATOR BERMAN:

Three minutes already, Madam President? All right. I am told -- and I'm not a member of the committee that this was heard in, but on -- according to our analysis, I have a list here of probably thirty organizations, including the Catholic Conference, the United Methodist Church, Lutheran Family Services, Voices for Illinois Children - a whole list of a couple of dozen other groups - that are opposed to this provision. Did they see this amendment before it was offered in committee?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Staff of the committee had the amendment the day before, or the evening before - very late in the evening, I might say. But as far as knowing whether those advocate groups had this, I -- I

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don't know. It's been -- it's certainly been out there for the last week, since the committee hearing last -- last week.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw. Senator Jones, for what purpose do you rise?

SENATOR JONES:

Thank you, Madam President. And I don't see the Senate President on the Floor, but perhaps he would reconsider that move to place a three-minute limit on debate or ask questions. The reason why I'm suggesting that you do that, because in having three minutes, what's going to happen, you're going to trigger more individuals to ask questions because -- in that period of time. We are already shutting out the public from having this input into the committee process. And the Senate, and the House, in particular, as well, this is where you debate critical issues which are going to impact on people. But by allowing the Membership here only three minutes, which is not ample time, all you're going to do is just string it out. I would suggest very strongly that a Member be -- have at least ten minutes to ask the proper questions so they can get a follow-through, and in this way, we can cut down the time, rather than continue to shut out individuals who have very pertinent questions to ask on this issue.

PRESIDING OFFICER: (SENATOR DONAHUE)

The limit on a three-minute debate, Senator Jones, is not unusual and has been around for many years. Senator Jones.

SENATOR JONES:

I've been here a number of years too, Madam President, and it was much more time than this. But what I'm saying to you, this is a very important bill. The public -- as I look at the analysis, all those organizations who wanted to have input were more or less shut out from having proper input into the drafting of this very

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important piece of legislation. Now we are attempting to debate this issue. I would suggest to the Senate President that more time be allowed for the Members. You're already shutting out the public, but don't shut out their representatives here in this Body. And that is what I am suggesting to you.

PRESIDING OFFICER: (SENATOR DONAHUE)

I'm sure he'll take it under consideration. Further discussion? Senator Shaw.

SENATOR SHAW:

Thank -- thank you, Madam President. Thank you, Madam President. The -- the -- would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shaw.

SENATOR SHAW:

I'm not quite clear on what we are replacing this with, when we wipe this out - AFDC out. Is there any proposals on the drawing board?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, some of those proposals were being debated right here before us, as far as changing the AFDC as we've known it. But what we do in this particular provision is that January 1st, 1999, we are saying a curtain comes down on the program of AFDC, and during that interim period, we would ask the Department of Public Aid to come to us with possible suggestions and -- and, of course, the public, obviously, and Members of the General Assembly, as to what kind of programs we would want to do and implement to replace AFDC as we now know it. That, of course, would then come before this Body as -- as a piece of legislation, and hopefully we would see change, and major change, and the General Assembly would support it.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

The -- the other question is: How much of this AFDC money is federal dollars?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

It's fifty percent. And while you've asked that, let me just bring up something. Someone seemed to think that this was an insignificant amount of our budget. It is one billion dollars. AFDC is -- is now one billion dollars - with a "b".

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

The -- it's my understanding that there has been -- even though we are attempting to wipe this out on a fast track, there's no application been made to the federal government for any additional program. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes, that is correct. Most of the provisions in this legislation would require a federal waiver, and there is language in here which would initiate that waiver process, if this bill passes and if it is signed by the Governor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Well, to the bill: Certainly, I, too, like most of us here, think that there should be some changes in AFDC as we have known it over the years, but certainly I can't imagine the -- this Body

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attempting to wipe out AFDC and not having the foresight or the will to make application for an additional -- or come up with an additional program that would be long-term, or short-term. We are -- we are just doing something here on the -- on the spur of the moment. And why we are doing this is because those young people that we are attempting to take money from out there - the children - they don't have a -- they don't have a lobbyist down here. They don't -- they're not like the big companies, the corporate companies of America or of this State who have a lobby -- a lobbyist down here who can come and talk to individual legislators. I think that those people need a lobbyist down here. But those of us on this side of the aisle, and some of you on that side of the aisle, you should become the lobbyists for those children. We have...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

We have crime -- yes, Madam Chairman. We have crime running rampant in the streets, and now we're going to attempt to -- I guess all of us going to need guns in our hand when we wipe this out. That looks like to me what it's going to be, and I ask a No vote on this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very -- thank you very much, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Trotter.

SENATOR TROTTER:

Yes. Fine. I'm trying not to be redundant. There's been a lot of debate on this already, but -- and specifically you've

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mentioned that there -- there are some alternative programs. We mentioned briefly in -- in the committee process that the only real way to answer this problem and to replace this is that we need jobs. Is there a concerted effort to get jobs here in the State? Do we see that much growth coming in the State that we're going to have four hundred thousand new jobs for our citizens that are going to be cut off this program?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, Senator, most of us - I guess there was thirty-four of us - felt strongly about that yesterday and voted in -- in behalf of the repeal of the Scaffold Act. That will create an atmosphere in this State that will be conducive to attracting jobs. I don't know whether you supported that or not, Senator, but we feel that that was an important step to create work and -- for the people we represent. And I'm sure that a lot of those people will live in your district.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

...the -- the training programs we're going to have is going to have carpentry programs; we're going to actually have some real, live training, not just training people how to work cash registers at McDonald's, and those kind of things. So the jobs you're going to create by this repeal of the Scaffolding Act is going to give these great construction jobs. And you're saying, again, that you're going to bring these programs to -- to our communities, as well?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

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We don't need to be creating any more job programs. There's enough of them out there already. We -- we've got programs in place, Senator, to train and educate and prepare people for work. We have those programs there now. That's what -- that's what this is all about. And we want to see people access those programs, and take advantage of those programs. And we think they will if we take the positive step and -- and support and pass legislation such as this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

So then, you're an advocate for raising the minimum wage. You're suggesting and you will contact your colleagues in -- in Congress that you will raise the minimum wage so we can have people with not only jobs, but good-paying jobs, viable jobs, in which they can raise their families and become meaningful individuals in our society. So, is that what you are saying you're -- you're willing to do as well, as a trailer to something like this?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, that's -- that's not part of this legislation, Senator, and I would refer to -- waiting to see what kind of legislation that would be brought forth before I would make any kind of commitment to that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Well -- well, granted, that's not part of the legislation, but there should be a plan that should go along with this legislation. And so what I'm asking, in your long-term planning, is that what

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you are suggesting that should be done? There's a lot of things that are not in this legislation, which is why we have so many people against it. But we just wanted to know what -- what have you been thinking as far as in trying to resolve the -- the -- the aftermath of -- of what this legislation can do, you know, because this legislation will not necessarily just be the -- the resolve to our problems. Every year, here in -- in the State of Illinois, and -- and also in this country, we come up with these themes or these battle cries. Last year it was like "let's get tough on crime". This year it's let's -- "let's get tough on welfare". Let's get -- "let's get tough on -- on education". Well, fine. I think what you're doing with this is you're actually undermining getting tough on crime, because you're going to create crime by the passage of this kind of legislation without a program in place. Now, if I may, just -- and final -- something to think about when we talk about putting dollars into health care and into child care. The report came out Monday that here in this -- in this country, our child care system is one of the worst that we have anywhere in the world; that the children are not learning, not learning emotionally. So when you think about, in planning, and when you start planning again, put some of those dollars into child care; that you ensure that you build in those programs and also get quality people in them, would have child care programs on a twenty-four-hour basis, because people have to work on all shifts as well. And...

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much, Madam President. A lot of you know that I have worked on various task force and councils and what have you. In fact, right now I'm -- I'm on the Council of Children, the Council on Aging, and the Council on Mental Health and

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Developmentally Disabled, so that covers just about everybody. And I'd like to just give you a few statistics. Your side is right over there when you say that three-fourths of the monies right now in public aid goes to nursing homes and to hospitals, out of our Public Aid budget. And I have just introduced a bill based, Senator Cullerton, on that report that you referred to, and if you would like to cosponsor that bill, I would be more than happy to. And it does do some of the things to try and keep people out of our nursing homes. And I'm sure, if anybody over there have more ideas on how to get people out of the hospitals and into private care programs, we would be more than happy to listen to it. But I would like to give you a statistic that a lot of you, perhaps, do not realize. First of all, when you talk about welfare and -- and you seem to think -- at least a lot of you seem to think we are -- we are doing this because it is a minority population. In this State and throughout the nation, the vast majority of people who are on welfare are not minority. They are white. And that includes this State. The average age of a teenage mother in our State, right now, is fourteen years old. That means she got pregnant in eighth grade. Three-fourths of those girls will have another child by the time she should be a senior, if we do not get her back in high school. And she has now entered into a system that will be almost impossible for her to get out. Approximately forty-five percent of those girls, again, will have another child before she's twenty-one, and that's where our low birth weight babies are coming from. That's where our -- our high infant mortality rate is coming from. And if we don't stop this now, we are causing the death of children who are yet unborn and we are delegating a group of young girls, fourteen years - and I have seen them as young as nine, and it was a white, suburban girl that I saw in that condition, nine months pregnant - we are condemning them to a life of poverty that they will never

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get out of. This is an excellent bill. There may be some things that can be added to it, but it's certainly a good start and it's long overdue. And I think we all ought to vote Aye.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Madam President. First of all, let me just say, Senator Watson, I commend you for the efforts that you've made, and -- and I'm really grateful. It's unfortunate that this bill is on what you call a fast track, but at least you have generated some awareness and -- and concerned about the need to reform the welfare system. Even though there are a lot of flaws in this particular bill, there are some good things in it also. Most certainly, some of this -- part of this bill, the things that I've worked on and been trying to even get people on this side of the aisle to support for the last five or six years. The self-reliance plan is almost identical, except you've made some changes in it that we need to change and amend, because you made it punitive. And that was not the intent of the original Bill 1999 that I -- that I sponsored. I would hope that you would be open to -- as you said that you would do, to those amendments. And when this bill get to the Governor's desk, that the Governor will, in fact, amendatorily veto those portions out and look to the trailer bill where we will have an opportunity to put some amendments on and amend the best portions of those bills into this particular bill, if, in fact, this has to be -- there's something sacred about this particular bill getting to the Governor's desk. There are a lot of weaknesses and things that's not covered that I would hope that you would cover in this bill. You cannot talk about breaking the welfare cycle unless you include the fathers and, Fawell, the teen fathers. We have made efforts in the past; there are efforts in this bill to address the problems with teen mothers, but there are

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two sides to this problem: the teen fathers. There's nothing in this bill that address that issue. I have some amendments I would hope that you would consider, because it's two people that's involved here and the father should have as much responsibility as the mother. There are other problems with this bill that we need to address. But in terms of getting rid of the system, you should have got rid of it yesterday. Department of Public Aid, the way we have it today, for many of the communities, is a form of slavery, even worse than slavery before on -- on some poor communities because it enslaves the mind and the spirit of these people, generation after generation, and we must bring a stop to it. I don't care what anybody say. This is not a perfect bill. I'm going to vote Present, because there are an awful lot of flaws in it and it sends the wrong message. But we got to do something. And thank you for your efforts.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Tom Dunn.

SENATOR T. DUNN:

...Madam President. Somebody mentioned cynicism a little earlier, and I want to tell you that the roadway to cynicism is like the roadway to hell: It's paved with good intentions, but it's a two-way street. Last year when I had a bill that passed out of here almost unanimously that ended welfare, had training involved in it, went over to the House, it was arrogantly killed. None of these people that I see listed on -- on my sheet who are against this bill bothered to talk to me. They didn't have to. They could kill it in the House. Well, today it's time to do something. And where have those people been? There wasn't any fast track last year. Those people had a whole year to come up with a plan. They haven't. When I look at the statistics that show that since the time I came here eight years ago, that welfare has risen from 3.7 million families to five million families, it

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makes me cringe. And when I see the statistics talking about black men and women in our society that were reported the other day in the Sun-Times that says that for every African-American male with a college degree, there are fifty-nine in jail; that the homicide rate for black men under twenty-five is eight times that of the general population; that every forty-six seconds of the school day, a black child drops out of school. If we were generals, we'd be replaced with those kinds of statistics. And we are generals, and it's time to do something. It's time to reverse the process. It's time to self-impose on ourselves change. Today is the day to do it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I simply rise in support of the legislation because I, too, feel that the time has come to not only reform, but to replace a system that has failed for decades and has done nothing more than create generation after generation of dependency across this State and across this country, not only among African-Americans, but among German-Americans and Swedish-Americans and Hispanics-Americans, Asian-Americans. It's not a racial issue. It's across all of our culture. You know, our founding fathers wrote in the Declaration of Independence that we are created by -- that all men are created equal and that we are endowed by our Creator with certain inalienable rights and among those are life, liberty and the pursuit of happiness. And the key word in that statement is "pursuit". The pursuit of happiness. And that word is an action word that says we need to do something. Tells us that happiness doesn't come from a stamp, that happiness doesn't come from a program, that happiness doesn't come from a taxpayer's handout. We need to be concerned about

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opportunities for Americans to pursue happiness, because I don't believe that government can give away happiness. This legislation addresses those financial incentives that for too long have encouraged laziness, that for too long have encouraged single parenthood. This legislation is pro-family; it's pro-work. And it's pro-values that have made America a great civilization. Recently heard a speaker say that our civilization cannot long endure when we have thirteen-year-olds having babies, fifteen-year-olds killing each other, seventeen-year-olds dying of AIDS and eighteen-year-olds graduating from high school with a diploma that they can't read. Well, this legislation addresses some of those concerns and takes some action about them. This legislation makes changes that I think many and the majority of Americans feel are long overdue. And many Americans feel these changes make a good deal of common sense. Vote Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. To the bill: I am in favor of the State of Illinois assisting low-income Illinois citizens to become self-sufficient, which is very different from the punitive measures imposed on poor people by this bill. Fast track apparently has come to mean and be geared to selective populations and toward what is politically expedient, rather than what makes sense. The question here is: What does a family need to be self-sufficient? Number one, work or income. This Body, and especially the other side of the aisle, has resisted almost every effort to bring jobs bills to this Floor and has not revised Earnfare in any way that makes any difference to poor people. Secondly, it means for families, that education has to be adequate to the requirements of the job market. This Body has refused to entertain the issue of adequate and equitable educational funding.

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Thirdly, a family needs health care - access to it, affordability. This Body has refused to consider, for example, the bill that Senator Smith has been carrying for the last five years, which would have addressed health reform in the State of Illinois. Housing - affordable housing: This Body has opposed, mostly on the other side of the aisle, measures to provide affordable housing for Illinois citizens who happen to be poor. Fifthly, transportation: This Body, especially the other side of the aisle, refused to support legislation that would have helped to bring ISTEPA in some measure to the State of Illinois in order to support public transportation. This bill could have meant something; there could have been a package put together. There are already -- and there has been resistance to these - we could have supported Project Chance in a different way. We could have supported adult education and GED in community colleges, better scholarships to universities. Community business and civic organizations could have been invited to be part of this. We could have given home care workers the money that they need to provide care in homes. This bill is a bridge to nowhere for thousands of Illinois' youngest and poorest citizens. My fellow legislators, beware, beware.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Butler.

END OF TAPE

TAPE 2

SENATOR BUTLER:

Thank you very much, Madam President. Ladies and Gentlemen,

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there's a great deal of -- of noise being made about this is a -- in fact, a -- a fast-track piece of legislation. I submit to you that more -- that we have had - we, I say legislators over the last thirty or forty years - have had generations - not years, not fourteen days as been pointed out, but generations - to solve these problems. We've had generations to plan; we've had generations after generations who have contributed money, hoping in some desperate way some solutions could be found. All we've had is more programs and more failures. All we've had is more billions of dollars spent on some sort of elusive solutions and we've had more failures. We've had more shattered lives, more failures. We've had a chance, and I say we going back -- all -- you know, you who have been on -- on this -- in this Body for many years can search your own consciences. This is not new. You've heard all this over and over again. All the prattle about how new this is and -- and some of the fine points, you all know in your own consciences exactly -- knew this was coming. You've known it for five years. And, Senator Trotter, I recognize the implied threat in -- in what you said, that unless we put more money, there is going to be more crime; unless we have more programs, there is going to be more people in jails; unless we spend more money, there is going to be more delinquency. My question to you and all of those who are objecting to this program is very simple: Tell us how much money is enough. You're all dwelling on money. How much is enough? We're spending billions now. Is five billions enough? Ten billions? A hundred billion dollars? What do you need to solve the problem? We're -- we're chasing dollars; we're spending money, and we -- we're trying to do it -- do it out of the kindness in our -- in our hearts, and we're failing. So I suggest the other side get together, decide how much money is necessary, and maybe we can approach it in -- in that manner and come to some solution. This bill is a start. It doesn't solve

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all of the problems, and picking it apart is not going to solve problem. All I'm saying, Ladies and Gentlemen objecting this program: put up or shut up. Tell us how much money we need; tell us how you're going to do it, and let's get rid of the threats about more crime, et cetera. I support this program. I would suggest it is a start. Let's do it and stop whining.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jones.

SENATOR JONES:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jones.

SENATOR JONES:

Senator Watson, you indicated in your opening remarks about the programs of the sixties which brought us here. Could you tell what you -- you are specifically talking about?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, those -- those programs, Senator, were commonly known as "the great society", and they were initiated during the 1960s to -- to hopefully put an end to poverty as we know it. I think what you've seen in the last thirty-five years has not been a whole great deal of success out of the efforts of the sixties.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Madam President. Now I have a clarification. I believe what you are talking about as we debate welfare, you're talking about the big Medicaid program that came about. But let me refresh your memory, if you're old enough to remember, that prior to the Medicaid program, if you had a parent,

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you had a relative who was ill, if you didn't have any money in your family, then you would use the "Eskimo theory": you'd sit them out on the ice 'cause they would simply die. There was no program to take care of health care benefits for the elderly. And we all -- I'm glad, Senator Fawell, I wanted -- I appreciate your remarks for dispelling the myth of welfare in the country and the State of Illinois. The Public Aid budget, Senator Watson, you talk about the AFDC line item is about one billion dollars, but the other portion of that 7.4 billion dollars, which is the Medicaid portion, goes to nursing homes. It goes to the aged and disabled -- the blind and disabled persons. But when we attempted to reform that piece, your side resisted. 'Cause I understand the pharmaceutical industry, which thieves off the poor. I understand the Medical Society and all its clinics. That's where the bulk of the Public Aid budget goes. When -- when -- when the Director said before the Appropriations Committee, you're talking about saving millions of dollars, he said, "Just increase the auditing of the providers and you will save hundreds of millions of dollars." But instead we come with a fast-track piece of legislation that is only going to touch about one percent of those on the AFDC line item. We want reform, but we don't want to use a meat ax on the poor, who do not have people here to represent them. In my district, for example - and I have some of the wealthiest people in the State of Illinois - I have the nursing homes. But do you -- do you know, Senator Watson, the Morgan Park-Beverly community, in those nursing homes, eighty percent of them are Public Aid - welfare. But -- but you don't want to deal with that part; you want to make the public think that this 7.4 billion dollars is going to some poor inner-city child and mother. That's not Public Aid. And I appreciate you, Senator Fawell, for at least having the -- the decency to be honest with the people. But let's not pick on the poor just because they don't have a lot

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of lobbyists in Springfield to represent them. We all want to break that cycle of dependency, but there's a way to do it and it's a time to have input. We're going to have public hearings with our Task Force on Medicaid and Welfare Reform, to come up with a program to solve this dependency. But let's not take a meat ax on those individuals who don't have anywhere else to go. And I think we are supposed to be more humane than that as it relate to the poor people across the State of Illinois.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Raica.

SENATOR RAICA:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I guess, first of all, I have to address some issues. One comment that was made is that no one was included and a lot of people were excluded. Senator Jones, your Members were -- were told ahead of time that that welfare bill was coming to your -- or, coming to the committee, and as a matter of fact, we delayed it twenty-four hours, and that your staff had twenty-four hours to come up with an amendment, and not one amendment was offered by any Members of your -- of your party, at all. And, Senator Garcia, you sound as if you were not included in the process. If you were not included, it was because you decided to be -- yourself to be excluded. No debate was denied. Everyone that was there was allowed time to speak, whether you were for it or against it. Everyone was given the opportunity, and finally, afterward there were no questions of any Members of the committee or witnesses, we took a roll call. I think what we have to look at is the term "fast track". And maybe people are really concerned about the term "fast track", and they're probably more concerned about the issue of which direction is the train going in and is it going in the right direction. Up until a few speakers ago, I've -- I've noticed that -- a sense of cooperation between

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parties on -- on this Floor and not the act that we normally do, and that is of confrontation. There's been more cooperation. Senator Cullerton mentioned Senator Watson's commitment, and I applaud Senator Cullerton for that. Senator Watson's probably the best sponsor because he doesn't look at welfare through eyes that are looking at colors, but rather he looks at welfare as an issue, which this Body should be looking at it. I applaud the Members that didn't point fingers, but rather reached out their hands and offered to help. As Chairman of Public Health and Welfare, I've asked President Philip for his cooperation in setting up hearings throughout the next five weeks, and putting a vehicle bill together to facilitate the work done as a result of those meetings. Senator Philip has agreed and have staff do exactly that. Senator Collins was the first Member to cross the aisle this morning, to come to Senator Watson and myself, and not to articulate her opposition to anything that was going on, but rather to offer her support for a much-needed change in the welfare system. Senator Collins has set up a meeting tomorrow, not in my office, but in her office, in which I'm going to attend, that she has people coming in from various agencies to speak about welfare reform. We're seeing possibly the very first step in a long process of a system that's been screwed up, as Senator Butler has eloquently put, for generations has been screwed up. We're not going to fix it with this one bill, but it's a start. It's definitely a start. This is not a time to derail a train, if we look at it through the eyes of fast track. This is a time for everyone to get on board and offer their input, which they have never been denied. I hope by our last days in Session we're -- be able to pass through this Body more changes that are needed in the welfare system. I have eight amendments that I offered to Senator Watson this morning, and he explained if we do that, we're going to stop everything that we set out to do, and I honor that. He

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was sincere about it. These are changes that Senator Cullerton suggested that we do, about the one -- one change that other Members of this Body have offered. These are the amendments that people came to me and says, "Can you put these amendments in?" But I'm not going to stop what's -- what's proceeding through this Body, and I don't think any of us should. And rather than point fingers, maybe let's all get together - we're going to have meetings over the next five weeks - we join in. And this may not be the true answer, and there are changes that -- needed in Senate Bill 10, but this is not a -- a day that we should stop and say and start pointing fingers, "Well, we weren't included in the input; we didn't have this; we didn't have that." Let's just join together and support Senator Watson because he's been doing this throughout his term in -- in -- or, throughout his -- his being a State Senator. It's needed changes, and -- and I would just solicit your support for Senate Bill 10.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hall, for a second time.

SENATOR HALL:

Thank -- thank you, Madam President. I'm going to give you the three "bes". I'm going to be sincere; I'm going to be brief; and then I'll be seated. The thing that I've just been reading through here is that Illinois' child support collections are low in comparison to there's Michigan, Massachusetts, and Wisconsin. According to recent management by the Illinois Auditor General, State collected two hundred and two million out of 1.3 billion. Just think of that. And the next -- and it says another thing here, too: The amendment only applies to professional license and not drivers license. Think of that, if everybody would -- would go in this. The thing that I wanted to call to your attention is that we got to start collecting, doing better than we have. Thank you.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you, Senator Hall. Senator Watson, to close.

SENATOR WATSON:

Well, thank you, Madam President, and I appreciate the debate that has taken place. Appreciate the comments. I am sincere in my efforts here and I -- I know all of you are also. There are some things that I would like to address on some comments that were made concerning some of the issues. First of all, when people say that there's not someone here advocating or -- or lobbying for -- for our poor people or for the -- for the infants and young people of this State who may be less fortunate, the comment was made that we had eighteen groups in the Public Health Committee to discuss this issue, and those people are sincere individuals who are, most cases, worried and concerned about the kids. And that's -- I think that's great and that's fine. And most of those advocate groups probably don't support what we're about to do here, or at least, what I hope we're about to do, but they are sincere and they are here in -- in general, for the poor people of this State, less fortunate, and the -- and youngsters. When we talk about humaneness -- well let me -- let me make one thing. The "fast track" is probably the most overused word that we've got in this process. Unfortunately, that's the term we've -- we've decided we'll name five particular issues, and welfare reform was certainly one of them. This is not a fast-track issue. Anybody who's been around here for any length of time knows that most of the issues that we've -- that are in this particular provision have been debated before, and many of you have supported - on both sides of the aisle - have supported many of the concepts that are in this particular piece of legislation. So this is -- really, truly isn't necessarily, as you would like to call it, "fast track". It -- there has been debate on this in the past - opportunity for public input. In my office, in my district,

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people come in because they do know of my interest in welfare reform and my concern about what I think is the generation after generation after generation of dependency that we in government have created - have come in to me and talked to me about these issues. So this is not something that's been taken lightly or something that we've just all of a sudden decided to throw out here on this particular day. But when you talk about humaneness, and most of the people who did that on this Floor today, the humaneness is the -- is the self-esteem -- the lack of self-esteem that people have when they're just stuck in the quagmire of poverty and welfare. That's the inhumanness of it all. And what's been our answer? And we talk about "the great society" and the throwing money at it, and everything that we can do to try to get these people elevated to a point in which they can help themselves and provide for themselves and their families. What have we done? We've thrown a lot of money at it. We created a lot of programs. And those programs, many of them, are still there, but I don't think we've stepped forward many different times over the last thirty-five years. You go into your neighborhoods and you ask them. "What would benefit me more is a job, an opportunity." And that's what we want to do, is create opportunities. And we want -- we want -- we want to help the people who need it. There are people on welfare today who deserve it, and they deserve our support and will get it; but there are many who don't. And that's what we're trying to do here. Those able-bodied individuals who could provide for themselves, who should make responsible decisions - that's what we're addressing. We don't want to be punitive. Senator Collins, you were the sponsor of Earnfare, the legislation that created opportunities for many people, and I appreciate your comments and your remarks. And that's the kind of effort we need from both sides of the aisle, as Senator Raica mentioned - cooperation - because we

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haven't solved the problem and won't solve the problem by throwing more money at it. Somebody, unfortunately, mentioned the race issue. Now, as I mentioned the other day, come on down, come on down to my -- my district and I'll show you poverty. Sure, you've got problems in your area, and I understand that, but this is not a race issue. One county in my district had the highest teen pregnancy of any county in the State. That's in good ol' southern Illinois. Where the sun always shines, right? We've got problems down there. It's not just one particular area of this State. Over the half of the births in Cook County were to Medicaid individuals. A third of the births downstate are to Medicaid individuals. That's part of the problem in the -- in the Medicaid budget. And we did try to address that last year by the concept called "managed care". We made an effort to do something about it. And that part of the budget, I agree, is out of control -- totally out of control. We tried to do something about it; the federal government rebuked us. And we'll make an attempt to try to do something more about it. But just try to remember that we're not trying to be punitive; we just want to create an atmosphere by which people -- that have the opportunity and the will and the ability to help themselves. That's what we're trying to do. And we want people to understand in this State that you're going to be held responsible for your actions. And that's what we're -- that's what this is all about. Thank you, Madam President. Appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall Senate Bill 10 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 8 Nays, 6 voting Present. Senate Bill 10, having received the required constitutional majority, is declared passed.

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On the Order of 3rd Reading is Senate Bill 17. Senator Cronin?
No. Senate Bill 19. Senator O'Malley? Read the bill, Mr.
Secretary.

SECRETARY HARRY:

Senate Bill 19.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Tom Dunn, for what purpose do you seek recognition?

SENATOR T. DUNN:

Point of personal privilege, for a moment, if I may.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point please.

SENATOR T. DUNN:

You know, I heard several times, from the other side of the
aisle, a call for cooperation. I think that's good. I think you
really ought to rethink that three-minute rule, and I'll tell you
why. Because under the rules, we have twenty-six people, we're
entitled to seventy-eight minutes on every debate. We shouldn't
talk seventy-eight minutes on every debate, but on important
bills, we ought to have more than three minutes. This is a
deliberative Body.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam Chairman, and Members of the Senate. Senate
Bill 19, as amended, is known as the Charter School bill. This
bill authorizes up to forty-five charter schools in the State of
Illinois - fifteen in Chicago, fifteen in the suburban and collar
county areas, and three downstate. I'll just hit some of the
highlights here, because we've been through this before, as -- as
most of us know. But let me just say this: As far as

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requirements to be a charter school, some of the essentials are they must be public, they must be nonsectarian, they must be nonreligious, nonhome-based, and nonprofit. There are some prohibitions: No private, parochial, or nonpublic school may be converted into a charter school; no more than half of the pupils in any one grade within a school district may enroll in a charter school; no charter school may charge tuition; no charter school -- I'm sorry, no district may require a pupil to enroll in a charter school, nor may they require an employee to work at a charter school; no charter schools may open prior to Fall of 1995. The process whereby charter schools will be created under this legislation goes something like this: Any group of individuals or organizations may apply to organize a charter school. If the proposal calls for the conversion of an existing school, it must be supported by a majority of the teachers and parents at the affected school, as evidenced by signatures on a petition. In Chicago, the local school council must also approve the conversion. Local school boards will be given preference -- or will give preference to charter school proposals that, one, have a high degree of pupil, parental, and -- and school personnel support; two, set rigorous levels of expected pupil achievement; and, three, are designed to serve at-risk students. After approval by the local school board, the proposal will be forwarded to the State Board of Education for final approval. Once approved, a charter may not be revised without the approval of the local school board, the -- the charter school governing board, and the State Board of Education. With respect to funding, in no case will the amount of funding provided to the charter school be less than ninety-five percent nor more than a hundred and five percent of the school district's per capita tuition charge multiplied by the number of students enrolled. Charter schools can be revoked. And this is the -- this is -- these are the circumstances under

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which they can be: If the local school board finds that the charter school has committed a material violation of the charter; failed to meet or make reasonable progress toward achievement of the pupil performance standards; failed to meet generally accepted standards of fiscal management; or violated any provision of law from which the school was not exempted. Revocation may be appealed to the State Board. Additionally, this bill prohibits institutions of higher learning from discriminating against charter school students in their admission policies. And -- and last but not least, there is a provision in the bill that was provided by Senate Amendment No. 4, which provides for an alternative certification process. First of all, you must be a certified teacher or be alternatively certified. And the alternative certification qualifications include, one, a bachelor's degree from an accredited institution; two, been employed for a period of at least five years in an area requiring application of -- of that person's education; and, three, passed the basic skills and subject matter tests required of regularly certified teachers. After being hired, teachers within a charter school will be -- will be -- will be required to demonstrate continuing evidence to the charter school of professional growth. That's probably a very detailed summary, but I'd be happy to entertain any questions there may be from the Body.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shaw.

SENATOR SHAW:

Senator O'Malley, in the spirit of cooperation, I filed an amendment, Amendment No. 6 - it's now before the Rules Committee;

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it's in Rules. Could I encourage you to hold this bill and bring it back to 2nd for an amendment that I filed yesterday?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Shaw, I became aware of your amendment this morning, and I've read it. I know what it contains. I think you know, as well as I do, what you can do to move that process along. A couple of suggestions I'd make to you are these: First of all, this bill will hopefully go over to the House, and as it's going through the House, you can deal with it there; you can also offer a separate bill and have it considered. But because of the constraints right now, in terms of our schedule, I intend to -- to move this bill forward.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw.

SENATOR SHAW:

In -- in the -- in the spirit of cooperating -- cooperating with each other here, can I ask you: Would you become a -- a sponsor on the amendment, if you don't want to hold this bill? Will you sponsor the amendment?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, I -- I think what your question was -- that I heard was will I sponsor -- cosponsor this amendment. Now, let me say this to you: If I'm not -- if I'm going to hold the bill, obviously I can't cosponsor -- if I'm not going to hold the bill, I cannot cosponsor something in the House. If you want to offer it as a bill, I will certainly sit down and talk with you about it.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Shaw.

SENATOR SHAW:

No. We are talking about -- will you join me in sponsoring the amendment as a bill then?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

I tried to answer that previously. I said I would be happy to sit down and discuss it with you, and -- and see what else there can be do -- to -- to even make it better than -- than you're offering it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Is that a yes or no?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

I -- I didn't say yes, and I didn't say no, as you know that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Berman.

SENATOR BERMAN:

Is there a -- an equivalent of Senate Bill 19 moving along in the House?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Yeah. Senator Berman, I've heard discussion over there; I

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haven't seen a bill that's been introduced. So I don't know the answer to the question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

All right. That -- that causes me a little concern, because I think that -- the concept of charter schools, I think, is worth the attempt, but I think that there are some corrections that -- or changes that ought to be considered, and we just haven't had the time to address some of these things. And I -- I guess I'll ask, but -- you know, if we can get an amendment put on in the House of some things so that we see this again, 'cause I'm not sure what control you or, certainly, I would have over this bill as it moves through the House. And I'm -- and I'd like to be able to vote Yes, if I knew that there would be some dialogue regarding several of the issues that -- that cause me some concern. What -- what can you tell me, that it will encourage a Yes vote?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Well, I'm -- I'm very honored that you would consider to vote Yes, Senator Berman. The only answer I can give you is this, and it comes from good faith, because, as you know, last year when we originally introduced the bill, I, time and again, opened up negotiations and considered amendments. I have no difficulty with that process continuing in the House; in fact, when I went over and discussed the bill in the House Education Committee, I encouraged that that process continue over there. I would have no difficulty making the same encouragement as this moves through the legislative process. I hope that will encourage you to vote Yes. ... (microphone cutoff) ... your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Berman.

SENATOR BERMAN:

Thank you. Let me merely make some comments and... I have no problem with fifteen charter schools to -- to be created, or possibly be created, in Chicago. What I have a problem with is fifteen charter schools, forty learning zone schools, X number of waivers, so that the average parent of a child in Chicago doesn't know what the heck their school is going to be when we're done with all of these different nuances, new innovations, et cetera. And I would strongly recommend that we pick one, and I think that charters might be the one that I would encourage. Let's do the charters and let's not confuse Chicago with an already overwhelming burden of confusion that is laid upon them by a series of mandates, and this is just, maybe, another one. I think also that the concerns of my Latino colleagues and my colleagues who represent Latino communities is a justified one, because we've addressed special ed; we've addressed the concerns of some of the teacher groups; we've concerned other mandate prohibitions - in other words, where you can't waive them - but they could waive bilingual. And you've got children that are going to walk into these schools - I don't care whether they're downstate, suburbs, or Chicago - that don't speak English. If they're not provided an education by -- and through a bilingual process, they're going down the tubes. And that I think is a very, very crucial issue that must be addressed. Bilingual ought to be included in the non-waiverable issues that a school must provide to the children that walk through those doors. Those are just a couple of the comments. I certainly hope that we will get some cooperation out of the House as this bill moves along, if it moves out of here today, and I hope that we will again see it before the bill moves to the Senate. Thank you, Madam President and Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. Senator O'Malley, last year when we acted on this bill, in committee, I did indicate my concern regarding the exclusion of bilingual education as a mention of a non-waivable mandate. I voted against the bill last year because of that. Here we are again. The bill has not changed. I brought it up again in committee. We presented an amendment to another bill regarding bilingual ed; that amendment was voted down. But I also, along with Senator Berman, encourage you to amend this bill in the House. I, too, would like to, at some point, support a chartered school proposal, but I can't, in good conscience, support a proposal that sets up the possibility of fifteen schools in the City of Chicago being off-limits to children who are limited-English proficient. That, I feel, would be discriminatory. I also want to point out that this bill allows for new schools to be created, for new schools to be given a charter, in addition to taking an existing school and creating a charter school. And that's great, but I want to remind the Members that there is no funding attached to this bill to fund a new school; it would have to come out of existing resources from that school district. So this is an unfunded mandate. And we certainly must recognize that. And I, again, have no problems with creating a new school, but in Chicago, we have a system that's strapped. There is already a huge deficit. We are going to, through another bill, if it passes, take away about twenty million dollars. We supported property tax caps. I voted for the caps, but I recognize that it's going to take money away from the schools. And so we're going to keep approving proposals here that take money away from the Chicago public schools. I hope that down the road we are going to see a financial package that gives the Chicago public schools some very much-needed dollars and not just

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come out of here at the end of the Session having approved a few bills that certainly look great and may be a nice token, a nice gesture, but will not deal with the serious financial problems of the school.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Madam President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Palmer.

SENATOR PALMER:

Senator O'Malley, in our analysis it says that the State Board of Education is required to provide an annual report to the Governor and the General Assembly on the success or failure of charter schools. What actions will be taken beyond the presentation of a report?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Palmer, as I -- as I mentioned in my opening remarks, there's a provision -- there are provisions in the bill for revocation and grounds for which revocation can be initiated. And -- and -- and -- without restating them again, basically they have to deal with basically either exceeding the charter, not meeting the conditions of the charter or, frankly, just the achievement goals and objectives aren't being met. And the local school board is going to have an opportunity to initiate that revocation process. So I think that's the safeguard that I -- I think addresses your concern.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer.

SENATOR PALMER:

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Yes. Thank you, Senator O'Malley. And as I understand it, that means that we look at each school on its own merits, and I don't have any quarrel with that. I'm very much in favor of charter schools, but as other colleagues have said, I do have some concern about this. I don't see anything in here about curriculum and what waivers -- what that means, as far as waivers are concerned, and I wonder if Senator O'Malley could speak to that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

As you know, Senator, the whole purpose of -- of charter schools - the whole goal - is to allow flexibility, allow local initiative, local creativity. But as part of the charter, they must spell out what the curricula will be that's offered in the -- in the charter school. And of course, you've got the safeguard of the -- of the -- the local elected or appointed school board having control over whether or not to grant that, and then, of course -- grant the -- the charter application, and then, of course, the next step after that is -- is that the -- the State Board of Education either accepts or rejects the local board's action. So I think that -- that we're trying to maintain that flexibility and creativity as much as we possibly can, and I think that your concerns about what will actually be substantively taught in a school will be spelled out in a charter, because that's what the legislation calls for.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you. To the bill: I certainly support charter schools. I do have a great deal of concern, and I think there is a significant difference between allowing schools flexibility and recognizing that there has to be some centrality to this when it

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comes to curriculum and so forth. Even universities support a core curriculum and acknowledge that there's a certain body of information that a well-informed student should have and especially after our discussion yesterday, which relegated African-Americans to a category as "other". And I think that especially if you're talking about the groups here, that where these charter schools are likely to be located - and it's popular to talk about self-esteem - then it would seem to me that we would make more than a passing effort to make sure that our citizens in Illinois understand the contributions that the people that this is geared to have actually made in this State. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the sponsor yield for a clarification, more than a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

It's my understanding in the bill, Senator, that it requires a bargaining unit of charter school employees be separate and distinct from any of the bargaining units formed from employees of the school district in which the charter school is located. I'm sure that that does not mean that -- that if the -- the CTU is the bargaining unit, that they are prohibited from being the bargaining unit of the charter school; it's just that they're not part of the overall contract. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, the -- I'm just trying to make sure that we answer

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this question, because I know it's of great interest and concern to you, and I want to make sure that we're accurate. As I understand the process, the -- it is possible that the existing bargaining unit could, in fact, be the bargaining unit for the charter school. It is also possible that the teachers, under this legislation, could form their own bargaining unit. I hope that clarifies it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Madam President. In the committee I opposed this bill. I -- I still oppose this bill, and the reason is that it throws the baby out with the bathwater. It does that in that it takes everything we've done in this Legislature, for many years, and says all of that knowledge is obsolete; we're going to start over from scratch. Most of the Members on that side that were here prior to the 1992 election helped work on those bills that required core curriculum courses for high school students to get into our universities and colleges in Illinois. And the reason for that was because the universities and colleges of Illinois had to teach remedial English to freshman students. They couldn't even get through Rhetoric 101, the initial introductory English course in our colleges, because the high schools had not done an adequate job of preparing the freshman class. We're going to go back to those days. Why? I don't know. We passed that bill requiring the core curriculum at the behest of the universities and colleges. All of us agreed that our students entering college weren't prepared. We're trying to fight against the Japanese and other foreign countries who educate their students more than we do. That was the idea behind the core curriculum. Now with this charter school concept, what we're saying is, "Well, we're going to let the local school boards decide." Somehow they suddenly

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have gained the knowledge that they didn't have prior to the 1980s when we passed the core curriculum requirements. We passed these requirements because the local school boards weren't doing an adequate job of requiring entering-college freshmen to be properly educated. That's why we instituted that requirement. Now I know it's been bandied about that it's a mandate and therefore it's bad. Anytime we want to object to something, let's call it a mandate and then say it's unfunded. But, Ladies and Gentlemen, we spend over three and a half billion dollars, going back to elementary and secondary education, that we raise here in Springfield. The local school boards didn't pass that income tax. State legislators in Springfield voted for and passed that income tax, and we passed that income tax increase of one-half percent supported by and encouraged by Governor Edgar on the Second Floor. Those of us who voted for that did so because we wanted money to go back to our schools to pay for some of the requirements we imposed upon them. And one of those requirements was the curriculum requirements of four years of English and three of mathematics. They got money to pay for that, Ladies and Gentlemen. We required them to do something, yes, but we also increased the money they were getting. What local school boards, in part, have been saying is, "Send us the money, but don't tell us what to do." You know, that's a lot like my thirteen-year-old son says to me. "Dad, I need more money, but, no, I'm not going to clean up my room. I don't want to really do that. But, gee, I need money this weekend to go to the show." With money comes responsibility. I don't think that we should detach our ability down here as the taxing body from our ability to tell local schools what to do. If we do that, all we become is a bunch of tax collectors, and maybe we should change the name from the General Assembly to Collector for the State of Illinois, like many of our counties are. And that's what this bill does. Senator

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O'Malley has become the tax collector for the charter school state. All we're going to do is bring the money in and send it right back. It's going to increase the bureaucracy; we have nothing to say about it. I think this is a bad idea. I think that just because the election on November 8th created this so-called "New World Order" that all of you folks are jumping on the bandwagon, this "New World Order" is not necessarily good. We -- there were some good ideas prior to November 8, 1994, although some of you over there refuse to admit that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator O'Malley, to close.

SENATOR O'MALLEY:

Thank you, Madam President, and thank you, my fellow colleagues in the Senate, for taking the time to ask important and meaningful questions, so that there is a clear understanding of what we're voting about here today. I do want to make a couple of comments before I -- I make my -- the closing remarks that I wanted to, by responding to a couple of Senators. Senator del Valle calls this an unfunded mandate. In fact, if it is an unfunded mandate, it is -- it is the ultimate unfunded mandate, because the local school districts are actually going to decide whether they want to deal with it or not. Now, I'm not going to buy that it's an unfunded mandate, but I'm just telling you there's that safeguard built into the process. And, Senator Welch, I -- I very much appreciate your comments, too, because you made those in committee as well and I've given that some thought. You know, I think that charter schools are actually going to do a better job in achieving what you're interested and concerned in, and I'll tell you why. As things are now, in public education, we have -- you're right, we have curricula standards that are mandated from a centralized bureaucracy. But do they really

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measure achievement by just putting them in the School Code? I would submit to you the fact that any child in Illinois cannot read his diploma on graduation day, would be evidence that that's not the case. Under the charter concept, you're going to establish the curricula, and your school, your charter, is going to fail - it will be gone - unless those students really learn what's set forth in that curricula. And you know, like I know, that the people who serve on local school boards are even more interested in public education, Senator Welch, than you and I are. And they're going to do a better job to make sure, as the gatekeepers on this, that if a charter is granted by them, it has appropriate safeguards that make sure the kids are getting a good-quality public education. Charter schools are about local control, and local control, maybe, in the finest sense. They're about inviting everybody at the grassroots level into the process: moms and dads, even students, most importantly teachers who are really interested - and most of 'em are, as we know - in doing creative things, in being effective as teachers, and seeing students achieve. Those local elected school board members, they're going to be the gatekeeper. And if they fail somehow to do their job right, then you've got the State Board of Education. Now, some people may have some mixed emotions here about that, as to their effect. But I believe that charter schools provide a reasonable alternative to what we've been doing in public education. They provide flexibility from a centralized bureaucracy, and a one-size-fits-all mentality that has existed all too long in public education. They encourage creativity and greater local control and involvement in our public schools, and the more people who are involved in the process, the better the process has been. That's what America's built on. It has always worked best when that's there. I don't like to close with criticism, but I'm going to suggest to you that the only

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legitimate criticism of this bill is that it is too limited in scope; that it only provides for forty-five charter schools in the State of Illinois. And I would hope that next year, because we start seeing some success and we start seeing a great deal of -- amount of enthusiasm at the local level, that that's what I'll be back here doing, asking you to increase the limitation well above forty-five schools. Thank you, and I appreciate your support for this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall Senate Bill 19 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 9 Nays, 1 voting Present. Senate Bill 19, having required the -- received the required constitutional majority, is declared passed. Senator Butler, on Senate Bill 21? Senator Karpziel, on Senate Bill 22? Read the bill, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 22.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpziel.

SENATOR KARPIEL:

Thank you, Madam President. Senate Bill 22 allows school districts to petition the State Board of Education for the waiver or modification of mandates required under the School Code when the intent of the mandate can be addressed in a more effective, efficient or economical manner. They -- they can apply for these waivers when the school districts can demonstrate that they can meet these -- the intent of the mandate in a more efficient, effective or economical manner, or waivers from mandates can be --

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or, requested when they're necessary to stimulate innovation or improve student performance. There are two basic kinds of mandate waivers in this bill. One is from the rules and regulations of the State Board. And in that case, they petition the State Board for the waiver, and then the State Board makes the decision whether or not to grant that waiver. If they are requesting a waiver from a statutory mandate under the School -- School Code, it must come to the General Assembly, for us to make that determination. The bill also contains the Chicago Learning Zone legislation, which I believe we passed last year, dealing with clusters of elementary and high schools in the City of Chicago, for a type of a -- a learning zone -- actual zone. And it also includes the provisions, again of a bill from last year, that will allow school districts to make interfund loans if they're made for the purpose of meeting one-time, nonrecurring expenses. And I'd be glad to answer any questions on Senate Bill 22.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. I rise in opposition to Senate Bill 22. This is an example of a bill that does too much too quickly and fails to give us -- give us and others the opportunity to have meaningful input. Let me point out to you one problem with this that I think is very, very serious, and it could be corrected, it could be addressed, but it hasn't been, and there's an amendment that's been filed; that this bill is moving ahead on a so-called fast track, regardless of what merit this amendment or other amendments may have. Under this bill as you're being asked to vote on it today, any school district - any school district of nine hundred and thirty-five school districts -- and if you think that my scenario is hypothetical, I will tell you it's going to be actual. Let's say this bill moves through this Body, goes to the

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House, and it passes out, and let's say by May 1st - and that's probably late - it's signed into law. You're going to have nine hundred and thirty-five school districts that are going to waive -- want to waive one or more Statutes, go to the State Board -- they're going to hold a -- a public hearing locally, then they're going to go to the State Board, and regardless of what the State Board asks for or recommends regarding the waiver of every law that we've ever passed, on October 1, all nine hundred and thirty-five school districts are going to file a request for waiver with this Body - with the General Assembly. And any one of those school districts can have one, ten, fifty, or a hundred waiver requests to waive laws that have been previously passed. And this bill says that on October 1, if they file that request, when we meet after October 1, that waiver is going to go into effect, waiving the previously passed requirements of our Statutes, unless both Houses reject that waiver. Ladies and Gentlemen, we're only going to be in meaningful Session six days in our usual Veto Sessions. It will be impossible for us to evaluate the waiver requests of all nine hundred and thirty-five school districts. But that is what this bill provides. That's one reason why I encourage a No vote. You are inviting the waiver of all previously passed legislation dealing with schools. The -- other reason I urge a No vote is that this imposes what is called a learning zone, representing fifty school buildings and forty thousand children in Chicago, that nobody knows what that's going to provide. We've already passed, in the previous bill, a charter school for fifteen school buildings. A person -- a parent in Chicago said to me, "If my child doesn't go to a learning zone school, does that mean that my child isn't going to be learning?" Simplistic, but meaningful, question. Let's not overcome what we're trying to do with the previous bill dealing with charter schools that will cover fifteen schools in Chicago. This is

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overkill. This is unplanned. This is the fast track that's running over a hundred years of previous legislation dealing with schools. Let's hold this up. Let's take a serious look at this. Let's do it in a more meaningful way. I urge a No vote on this 3rd Reading bill today.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. I think Senator Berman certainly expressed my concerns, but I do want to add just a couple of things for the record; that in this waiver bill, laws pertaining to teacher certification and special ed are not waivable, but transitional bilingual ed is and that the -- once again, the Education Committee voted down a bilingual education amendment, and also that these waivers will be granted for up to five years, making it difficult for a district to respond to rapid demographic changes and changing student needs. Now, one provision in this bill I think also affects teachers, because with the current law, an application for a waiver or modification of administrative rules and procedures can be made to the State Board. What this bill does is that it says that you can make an application to waive a mandate, not administrative rules and procedure. It also says that local school boards can develop an application for a mandate waiver without the consultation of educators. The current laws calls for consultation of educators on a request to waive administrative rules and procedures. So you're leaving the decision making in the hands of the local school board totally, and bilingual teachers and program administrators in school districts throughout the State may be locked out of this decision-making process. On the learning zone part, Senator Berman said it well. We are essentially creating forty, fifty charter schools. Between this bill and the previous bill and the

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voucher bill, we are advancing legislation that is intended to break up the Chicago school district. And many people here may be, or probably are, in favor of that. I really don't think that this is the approach, but that's what happening here. The learning zone will be governed by a nine-member commission, including five members and the Chair appointed by the Governor. It's an area that will include ten percent of the kids in the Chicago public schools. And so you're going to put ten percent - this is separate from the charter schools and separate from the vouchers, if that's approved. Ten percent will be controlled by a board established by the Governor. So we're going to have the Governor's Office, I think, running a little, separate school district in the City of Chicago. Now, I -- I could live with that, if you were also saying that you we're going to ensure that that school district had adequate facilities, that that school district had the schools it needs to relieve overcrowding, that that school district had adequate resources to provide all the services that those schools should be providing. But this bill is silent on those kinds of matters. Bilingual education is not listed as a non-waivable provision in the learning zone designation. I think that, as Senator Berman said, this is the wrong way to go, and I hope that our Members will not support this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. As much as I have the utmost respect for the sponsor of this legislation -- and I don't think you'd have called it unless you had the votes available here today to -- to pass it. But do we really want to do -- to come back to this Body to have veto power over the State Board of Education on waivers that are

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denied? That -- that, to me, seems to me very clearly that we are overstepping our bounds. Either -- we are either overstepping our bounds or the Governor can't control the State Board of Education. Either case is a no-win situation. I think that's one portion of this bill that I think is -- is very, very onerous from the standpoint even, in my estimation, of the separation of powers. I think that Senator Berman and Senator del Valle really have picked on a lot of the issues here that -- that are a sore subject with myself, but I guess I look at it a little bit from the waiver situation. If we're going to allow schools to have waivers, then why don't we allow municipalities to have waivers from the mandates? Why don't we allow all bodies that we mandate to to have waivers? I just am very much afraid -- and I'm a great believer in the separation of power; I think this violates that. And for that reason, I'll be voting No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll <sic> yield, Senator Welch.

SENATOR WELCH:

Senator Karpziel, a few years ago we passed a law requiring annual testing of third-, sixth-, eighth-, and tenth-grade students. Is that going to be demandated, or will that continue in existence if this bill is signed into law?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

Senator Welch, I want to emphasize to the entire Body, nothing in this bill demandates anything - nothing. A waiver could be applied for by a district to demandate that regulation. That is

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true. After the school board holds public hearings with input from parents and teachers, and then if they decide, in fact, to apply for that, then perhaps they could get a waiver. But nothing is demanded.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Welch.

SENATOR WELCH:

Well, the last wave of reform that we had in this Body in the late eighties and early nineties, was at the behest of the Chamber of Commerce. And as you recall, this was one of their major reforms; we're going to start this rigid testing of third, sixth, eighth, tenth graders so we can compare school district to school district to see if there's improvements. Now we've got this second wave of reform that has come about because of the "New World Order" created on November 8th of 1994, and under this "New World Order", even those old Republicans' reforms are now obsolete. I don't understand this. You guys are even reforming your reforms. Those were basically Republican ideas four years ago. Now you guys are throwing those out the window? I don't understand this. If one school is granted a waiver from having these tests of third, sixth, eighth and tenth graders, the whole system is probably, realistically, out the window. Because what are you going to compare 'em to? Those schools that will not apply for the waiver are probably those that are doing good. We'll probably have -- the only school who'll not apply for a waiver will be the Science and Math Academy. They're probably, you know, in favor of those testing. So it seems to me that you -- what's happening here is even some good ideas that we agreed with that came from your side of the aisle you folks are now throwing out the window. I -- I think that what we should do is rationally decide which of those requirements should continue into effect and -- and which should be reviewed. But to throw

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everything out the window, to me does not make sense.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I -- I'd like to ask the sponsor a question, if I might.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she'll yield. Senator Demuzio.

SENATOR DEMUZIO:

Senator Karpiel, I'm trying to read the Section that provides for the -- or, indicates that the State Board files all of the requests for waivers with the General Assembly and the Secretary of State before October the 1st of '95 and thereafter on each May and October. It apparently outlines those -- the information then contained in that is those waivers that have been granted and those that have been appealed, and, of course, that appeal then I guess is up to -- is up to us. Is it only the appeals that come to us, or is it -- or is it the entire report from the State Board that we must approve or disapprove?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Remember there are two ways to get a waiver under two things in this bill. The first one is if it's a waiver or a modification of a rule or regulation of the State Board, in which case they're the ones that make the determination, but appeals by the local districts would then come to us. If in fact it's a statutory mandate waiver, then all of those applications come to us, because the State Board does not have the authority to waive or modify a State law.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

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In theory, then, why -- why would a school board then want to file with the State Board? Why don't they come directly here?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Well, if it's a rule, they would want to come straight to us. If I could, Senator Demuzio, at this time, just offer you a -- an example. I mean, everyone here is talking about things like throwing everything out the window, abolishing bilingual program - and by the way, I represent a district that has a bilingual program of over twenty-seven languages - they're going to just throw that out the window. Let me just use an example. One of my school districts wants to build a storage -- you know, a thing to hold lawn mowers, snow plows, et cetera - a storage shed, and they have been told by their attorneys - their school attorneys - that that storage shed, which is not adjacent to the school - I mean it is not attached to the school - will have to have sprinkler system -- will have to have a sprinkler system in it. And of course if it has a sprinkler system in it, which of course is according to State law, they will also have to have a heating system so that the pipes don't freeze. That's the kind of waiver they could go directly to the State Board for and, I believe, the -- the General Assembly would not have to get involved in.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

I -- I know they can do that now without this bill, according to what one of my experts just indicated. But -- but let me -- let me ask you this question -- well, actually two -- three questions. If -- it says the General Assembly may disapprove the report of the State Board in whole or in -- in part within thirty calendar days. Well, if that report comes over here and -- and it

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has a number of suburban schools, for example, that are -- made specific requests, and the -- say Chicago and -- and downstate schools have made similar requests, is there not the fear that somewhere along the line that there could be votes rounded up for one category of geographic school versus another, and approve part of this report and disapprove the other?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

Senator Demuzio, like any bill that goes through this Body, I suppose political maneuvering can get involved in just about anything. I don't quite see what that has to do with the policy of the State of Illinois regarding educating our kids.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, it's called politics of geographics, is what it's called. Let me ask you this final question: How is the motion put to approve or disapprove? Is it similar to the motion that is -- that we do with respect to the Compensation Review Board?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

Yes. We would have to have a resolution disallowing it all or in part.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

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Senator, there is -- the waiver does not remove tenure, does it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

No. This -- with the amendment that was put on yesterday, it does not. The original bill did not cover teacher certification, special ed, and with the amendment that we put on yesterday, it also exempts tenure and seniority.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, the State gives about thirty-five percent - I think it is - or thirty-seven percent to the Chicago schools, and I think it's time we try to do some good and try to be economic. Now, what this bill will do: It allows the school districts to petition the State Board of Education for the waiver or modification of certain mandates required under the School Code when the -- the intent of the mandate can be addressed in a more effective, efficient or economical manner. Well, it's about time we thought about the taxpayers' monies, because we don't want to keep sending money down the hole and seeing it disappear. If this bill can help straighten out some of the very inequitable things that have been happening - not only in Chicago schools, in others - I think it's time that we support it. I think it's a step in the right direction. We've got to stop thinking just about how much money we can put in without any results. When kids can't read and then graduated from high school, can't even read their own name on their own diploma, I think it's gone pretty far. And I think that this is a bill in the -- in the right direction, and I certainly urge support of it.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Senator Karpziel, you recognize that I had filed an amendment to this bill. And -- and I think the amendment concurred with something that you said in committee during the time on another bill, that you had worked on a task force and in that it -- the waiver request had to -- to set forth why they needed the waiver and what the goals were, what they wanted to accomplish, and how that particular law or regulation had somewhat impeded their progress toward attaining their goal. I filed that amendment yesterday, and I would like to know -- I know this is on one of your -- whatever the fast track is; it's going to the House. But would you have some objection, if this thing gets slowed down, to -- to at some point getting -- getting that amendment on it? Because it's just simply -- it says that you can't just willy-nilly ask for waivers that -- not just in this bill, but on all waivers, that you set forth some clear goals and objectives, and you would have to specify how that particular law, or rule, or regulation would somehow impede your progress toward achieving that goal. That would be a uniformity that all requests would have to come here.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpziel.

SENATOR KARPIEL:

Well, Senator Collins, first of all, I want to just say that the bill does not allow the school districts to willy-nilly apply for a -- for a waiver. It is pretty -- I did read your amendment, and I know what you're trying to get, but I think it's already in the bill. It already calls for -- that the -- they have to demonstrate that the intent of the mandate can be addressed in a more effective, efficient or economical manner, or be based upon a

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specific plan for improved student performance and school improvement. And then yesterday, with Amendment 8, we also put on a provision that shows that if they are requesting a waiver based upon that it will be more economical, they have to show what they are now spending on the mandate and what they project that the -- the savings will be if they get a waiver. So I think we already have safeguards as far as that is concerned. As far as you wanting to add this amendment to a bill, yes, there's a House bill, which I suppose will be coming over. And then of course we will be in a posture again to introduce amendments or to try to get amendments.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. Questions of the sponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Palmer.

SENATOR PALMER:

Senator Karpiel, I'm reading this and I've listened to the debate. I -- at this point, I do not understand the purpose of the Chicago learning zone, when the intention of this bill is to allow all school districts to waive mandates. Why is it necessary then to create what amounts to a second-class citizenship for Chicago schools by creating a commission that has to pass on what they do in their schools, rather than just removing that and allowing them to participate in this general direction?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Senator Palmer, I want to say that I've had the same question. You have to understand that the learning zone provision of this bill was not my -- my original bill, so I can only -- I can only

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imagine that the reasons for adding that or going along with the learning zone, as well as the mandate waivers, as well as the charter schools, is to give as many options as possible for the school district to become more innovative in ways of providing education.

PRESIDING OFFICER: (SENATOR DUDY CZ)

Senator Palmer.

SENATOR PALMER:

Well, I hope from now on your side will spare us those, but one more question. I'd like to know what an interfund loan transfer is, and what does that mean, extending the time for repayment.

PRESIDING OFFICER: (SENATOR DUDY CZ)

Senator Karpziel.

SENATOR KARPIEL:

I'm sorry, I didn't hear you.

PRESIDING OFFICER: (SENATOR DUDY CZ)

Senator Palmer.

SENATOR PALMER:

I'm sorry. In our analysis, it says that part of this bill authorizes interfund loan transfers and extends the time for repayment.

PRESIDING OFFICER: (SENATOR DUDY CZ)

Senator Karpziel.

SENATOR KARPIEL:

That's only for downstate schools, for one thing. And the idea is that there are times when a school district needs to, you know, access some money for a one-time obligation, and they can borrow it from another fund.

PRESIDING OFFICER: (SENATOR DUDY CZ)

Any further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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Thank you, Mr. President. Some time ago we reached -- we received a document that indicated where all of our children had gone to school or are currently going to school. And I have to tell you, it was probably no surprise that many of the legislators' children didn't -- never attended public school. In fact, a large amount attended private schools. Yes, Senator del Valle. Of the ones that currently have children in school, you have quite a few that are sending their kids to private schools. Now, as a Body - I can't believe this - we are arguing against the possibility of those people who are elected to serve on a school board to proceed to make a request regarding something they feel their children either need or don't need, when they normally -- or most board members have children in those schools. And it's quite a shocker to me that we sit here in Springfield and decide that we have far better judgment or a more elitist philosophy of governing than allowing those boobs back in the district, who have children in those schools, to exercise a request - a request - to perhaps to do something that may allow them to reallocate resources or run their schools better. You know, Senator Karpel, you have a very good bill except for one thing: Ultimately, under your bill, the decision may have to come to us. And frankly, I think we ought to probably strike that out and let those people back home that we have such great disdain for be allowed to make those decisions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President. And I've -- I've got to comment on one of the previous speakers talking about maybe we ought to stay out of a particular area of this State and the problems that they're having, when -- when, in fact, we've just debated the charter schools, and the reform groups, who are truly

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in the trenches of trying to create a quality education for the young people of Chicago, those reform groups who are members of local school councils and trying to make the reform work, they support more charters; they want to see additional charters for the City of Chicago. They -- they wrap -- they embrace the learning zone concept. So to -- to imply that we on this side of the aisle shouldn't be meddling in the particular area of the State, namely the Chicago public schools, without getting your approval, so to speak, you can look right here at -- in the gallery and see the very people who are trying to get it done. They're trying to make sure the education process works in the public schools of Chicago. And I support them, and I support this concept, and I support the charter school effort. If you go back into your districts and you talk to your schools and your teachers and your school boards and your parents, one of the biggest issues that you'll hear about is, "Why are you up there, Frank, dictating policy back to us, when we ought to be making those decisions locally?" And that's right. They're right. And you talk about the -- the concept and the philosophy of -- of segregation of power, and that we ought to include municipalities. Why, sure we should. Sure we should. We have no business sitting up here dictating what a community or a school district ought to be doing. Those are decisions that should be made locally. And that's what we're trying to do here. That's the opportunity we're giving local boards. The financial burdens of communities and school districts and units of local government throughout this State rests with us here in Springfield on the mandates we send to them and dictate policy on what they have to do to comply with our -- what we think's important. So this is the right direction to take, Mr. President. And I'm glad to support Senator Karpziel on her efforts on a mandate waiver. Thank you.

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END OF TAPE

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PRESIDING OFFICER: (SENATOR DUDYCZ)

...there any further discussion? If not, Senator Karpel, to close.

SENATOR KARPIEL:

Well, thank you, Mr. President. I don't think I can follow that up with anything more eloquent, except to just emphasize once again that this is not opening up the whole School Code to any school district to willy-nilly get rid of anything they don't like. It is absolutely false. Senator Welch, I had and Senator Klemm had a mandate waiver bill in last year, which, in fact, passed this house. This did not come out of November 8th and the New World Order, although I'm very happy about the New World Order. Senator Berman, you complain about the learning zone. You sat on the advisory committee to come up with the language for the learning zone, sponsored the amendment in committee and, in fact, at that time, supported the Chicago learning zones. As far as the thirty days is concerned, yes, that might be a concern about the October 1st lists that will be given us and that we'll only have the Veto Session to act on it, but let me tell you if what happened this weekend with all the phone calls to every one of our offices and house -- our homes is any indication, believe me, six days will be enough, because they can act fast if there's opposition to anything like that. So I think this is a good bill. We are not going to just throw out the School Code. We are simply getting out of the business of micromanaging the education of our children and allowing, especially in downstate, our elected representative school board members to -- to provide the education

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for the kids of our districts at the local level and to allow school districts like St. Charles to not have to put sprinkling systems and heaters into a storage bin. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 22 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 22 Nays, and 2 voting Present. And Senate Bill 22, having received the required constitutional majority, is declared passed. The sponsors of Senate Bills 25, 26, 28, 41, 42, 43, 44, 50, 51, 52, 54, 55 and 58 have agreed to hold their bills. So we will be proceeding to the middle of page 4 of your Calendar - your regular Calendar - on the Order of Senate Bills 3rd Reading. Senate Bill 66. Senator Maitland. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 66.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Mr. President and Members of the Senate. Senate Bill 66 contains the noncontroversial elements of the 1994 land conveyance bill. You may recall, there were some problems in the closing days of the Session, and we weren't able to move those conveyance -- conveyances forward because there were some controversial issues in there as well. This bill absolutely contains the -- the noncontroversial measures that -- that need to -- to pass on over to the House. There are two at least in here that have some time constraints on it, so it's necessary that we get this bill over to the House. There are at least three

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conveyances that will be added in the Senate -- in the House, Mr. -- Mr. President, that we were not able to get here in the Senate. I have talked with the three Democratic sponsors, and they've agreed that we will put those on in the House. And so, Mr. President, I would -- would seek support of the Body.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much. We appreciate, Senator Maitland, your cooperation in this matter, and we -- we may have one or two others that we didn't discuss earlier today. I'm not really sure. Some Members are now going through theirs, but we appreciate the offer, and we'll be moving -- working with you to try to move those along during Session. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall Senate Bill 66 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And Senate Bill 66, having received the required constitutional majority, is declared passed. ...of the Body, we shall be proceeding to the middle of page 5, Senate Bills 3rd Reading. We will be dealing with Senate Bills 241 and 242. We will then be going to the Supplemental Calendar, and we shall return to the Order of Senate Bills 3rd Reading of the regular Calendar to pick any bills that we have -- that any sponsor wishes to have debated on 3rd Reading. On the Order of 3rd Reading, Senate Bill 241. Madam Secretary, read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 241.

(Secretary reads title of bill)

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3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. There's been a lot of talk today about bills that are on the fast track. This is a piece of legislation that probably has been on the slow track. This issue of reorganizing higher education's governance boards has been around since I was a student at Western Illinois University, close to twenty years ago. So this is an issue that has been around a long time. There have been ad nauseam task forces on the structure of higher education. I believe Senator Walsh had a task force a number of years ago, and over the last few years, Lieutenant Governor Bob Kustra has spent extensive time on this issue, including having a task force that he chaired along with the Chairman of the Board of Higher Education, Arthur Quern. And they came to a number of conclusions, and that is where this bill came from. Let me tell you quickly what it does. It abolishes the Board of Regents and the Board of Governors of State Colleges and Universities and creates seven new governing boards for the individual institutions. It makes Sangamon State University a part of the University of Illinois' system, which I believe greatly enhances higher education in central Illinois. And it reduces the size of the Board of Higher Education from seventeen to fifteen members. This bill has passed this Chamber a year ago. It came out of an extensive multi-hour hearing the other day in the Higher Education Committee of the Senate, and a like bill is moving through the House of Representatives and it came out of the House of Representatives' Higher Education Committee on a vote of 9 to nothing. I believe it's a -- the time has come. It has been studied extensively, including hearings just a week ago here in

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this Chamber in the House -- or in the Senate Higher Education Committee, and I would be happy to answer any questions, and I urge its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Dillard and Senator Weaver and a number of other individuals know that over the course of time here, and particularly this last Session, I was one of maybe two Democrats on this side of the aisle that was supportive of the issue of Sangamon State University joining the University of Illinois, and frankly, as Senator Berman reminds me on occasion, I was the deciding vote in the Education Committee a couple of years ago in order for that bill to get to the Senate Floor. I have had the opportunity to talk to a number of individuals associated with Sangamon State University and as well as those individuals who reside here in the community and those who commute back and forth, as well as the various private higher education and some of the community colleges, the Chamber of Commerce and others, who truly believe, as I do, that this is, in fact, a idea whose time has indeed come. And I was supportive of this concept all through the process until the bill was introduced this past week. My opposition today comes from page 420 where it says, or attempts to define the entire bargaining unit for the University of Illinois for the academic community. As a matter of fact, if I may, it says that the sole appropriate bargaining unit for academic faculty at the University of Illinois shall be a unit comprised of all tenured -- all tenured employees employed by the Board of Trustees and all of its undergraduate, graduate and professional programs, regardless of current or historical representation rights or patterns of application of any other factors. I don't

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know of any other unit of government, agency of State, that we attempt to define the parameters for the bargaining unit. We certainly don't do it for Public Aid; we don't do it for Children and Family Services, or Mental Health, or Public Health, or anyone else. But we are attempting here to suggest that simply because of the fact that Champaign and Chicago doesn't have an existing professional union that represents the academics on their campus, that somehow or other we ought not to allow that to happen so that the bargaining unit that has been in -- in place since 1986 at Sangamon State University, which is affiliated with the Illinois Federation of Teachers, the University Professionals of Illinois, in fact, may very well be precluded from having all of their successful bargaining decisions since 1986 changed. But even that is something, but the next line in this amendment on page 420, or this bill, says any decision, rule or regulation that is promulgated by the Board to the contrary shall be null and -- and void. So you have the next bill, 242, that says that there will be a new mechanism for selecting the Board of Trustees where there would be seven appointed by -- seven members appointed by the Governor of his Party, and six of -- of the other Party. And so what we're, in fact, saying in this particular amendment, as I see it, is that we are taking the decision-making process away from the Board of Trustees with respect to bargaining, and we are saying that even if they had a different mechanism or wanted to recognize someone that fall within the purview of this current historical standing, they couldn't do it unless they came back to the legislature, in all arrogance, to change the State law. I don't think that we, in the General Assembly, ought to be in the business of defining the parameters for those individuals. It seems to me that we have a Board of Trustees of the University of Illinois that's empowered to make those decisions. I support everything else that's in this bill. I don't support that

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provision that denies the opportunity for the existing bargaining unit at Sangamon State University to continue in existence. And I know the argument will be that if, in fact, they can organize the other two campuses, that, in fact, this does not preclude them from doing that. But as you and I both know, that is basically and virtually impossible. So I would hope today that those individuals who believe in the collective bargaining process would vote No on this particular piece of legislation today, take that particular provision out of this bill, and it will certainly have my support and I think probably a number of others on this side of the aisle. This is an important issue to me, but I cannot trample on the rights of the men and women who have been out there in the professional academic community since 1986 who had been successfully bargaining with their issues. Senator Dillard, I certainly commend you for your effort today, and I am truly sorry that I can't support your bill in its current form. I certainly want to. If it doesn't get enough votes today, and hopefully it won't - perhaps it will - then with that provision notwithstanding being in the bill, then, in fact, I would be able to support it. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. This is a real big day for my town, and I hope, also, for most of you, because although we often make a lot of jokes about Springfield, especially those of you from the "big City", it is your second home, too, and I've heard many of you say, indeed, how fond you do become of Springfield. We, in Springfield, see this as the best opportunity that we have had for years and years, as far as economic development opportunities, as far as education and training of our citizens and the citizens of all of Illinois and, in fact, of those across the United States.

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I have worked on this issue with a group of Springfield and surrounding area citizens for about three years, and that committee has been extremely involved in many of the issues that we're talking about today. And I can tell you that Springfield will appreciate and thank you for allowing us to become a branch of the University of Illinois, which means a lot to all of us in this town. That committee intends to stay active and stay involved in now what happens in the future, as far as the Springfield branch of the University of Illinois, and I have a feeling that many of you may end up -- if you have not already attended that University, that you may in the future. It is a shame that one, small issue, not small to many people, but in the scope of things in Springfield it is not big enough to stop this from going on at this time. I, and several other people, are committed to trying to work out the problems with the faculty at Sangamon State University, hopefully soon to be the University of Illinois at Springfield. I am committed to trying to do that, and I am confident that whatever happens, this move today will indeed be good for all of us. I would urge an Aye vote and, indeed, on behalf of all the citizens of this area, would thank you for voting Yes.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. To the bill: I think that the University of Illinois is a first-class university. I think that it is to its credit and to those at Sangamon State who want to join with them that they have put forward this proposal in this bill. However, in this bill, there are some contradictions that I cannot get past. First of all, the fact that in order to make what could be a happy union possible, we're going to bust a union that has been operating successfully on this campus for some

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years. Secondly, another contradiction that is very disturbing to me: We are also, in the spirit of dividing up, we are spinning off seven smaller universities and pitting them over and against two growing systems. So here we have the University of Illinois growing by one campus, and potentially, I'm sure, and with Godspeed, Southern Illinois University, at some point, will expand in some way as well. But on the other hand, you are isolating and parochializing the universities, such as Northeastern, Chicago State and others, without granting to the Illinois Board of Higher Education or any other body the oversight that is necessary to protect smaller universities. So you're asking them to compete with two major, growing systems. Now I would like to suggest to you, Ladies and Gentlemen, I'm sure this bill is going to fly out of here, but I just want to put something on your minds. Last year, in March, I had the pleasure of meeting with members of the committee in the European Parliament and European Union who are figuring out how to have a European-wide university system. Such things as if you are accepted at a university in one member state, you are accepted at all other member state universities. I mention this to you only to point out the contradiction. Where other places are busy figuring out how to be comprehensive, we are busy figuring out how to be parochial and isolated. I think that is a mistake. I -- there's no point in me asking you to hold this bill while we introduce oversight measures. So the best that I can do is just ask that on the basis of this, we vote No. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. When this issue first advanced itself a couple of years ago, I, very frankly, was -- was very concerned about it. I was concerned about the way in which I -- I thought it was being advanced and

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the reason it was being advanced. And secondly, I was concerned about what I thought might possibly be shortsightedness with respect to determining, frankly, how this restructuring should take place. If I would have had my -- my way, I would have created a task force to study this whole issue of governance and done it over a two-year period of time. But I think, frankly, we have now accomplished that by the delay in taking action on -- on this very issue. And there was another issue that I was concerned about, too. I was concerned about the point that's already been made on this Floor with respect to once you create this new vehicle, then where is the fuel that's going to make it run. We really didn't talk about how this governance was going to work under the new system, and that bothered me a great deal. This is a great system, these twelve universities we have in Illinois. We don't want to lose ground; we want to gain ground. And I have had extensive conversations with the Lieutenant Governor on this, and I will applaud him, will applaud both the Governor and the Lieutenant Governor, but particularly the Lieutenant Governor on this issue, because he as shared with me much time, much concern, and I can tell you, the Lieutenant Governor is not a person who believes in status quo. He is innovative. He is concerned. He's willing to listen to ideas. And as a consequence of that, my concern and the concern of many in this Body about how we put this structure together and how we make it work after we create it is going to take place before we leave this Chamber this spring. There are efforts already taking place behind the scenes by a lot of people to determine where this governance and control is going to be between BHE and the new university presidents and their boards. It was difficult to come to this decision, and finally to say to you, Ladies and Gentlemen, the straw that broke the camel's back for me in recent weeks has been what I consider to be inappropriate statements made by staff from at least one of the

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governing boards about things that were taking place in the universities - outside of the purview of the board itself. I think that's too bad. I think that's a shame. I think the time has come for the creation of a new board -- or new boards and a new mission, and I support this concept.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? Senator del Valle.

SENATOR DEL VALLE:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator del Valle.

SENATOR DEL VALLE:

Senator Dillard, you'll recall that Mr. Wagner from the Illinois Board of Higher Education testified in committee and presented a set of recommendations that he felt should be put into legislation and enacted by this Body in order to assure that once the universities are going at it alone, that we could deal with -- with tuition increases and deal with capital improvement requests and -- and other matters in -- in an orderly fashion and be able to make some sense out of all these requests that are going to come from these individual schools as they try to compete with each other for resources. Are we going to see legislation to implement those recommendations that Mr. Wagner suggested in committee?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator del Valle, we have deliberately not increased or tinkered with the actual powers of the Board of Higher Education in this bill. Those will be addressed in separate legislation, and as Senator Maitland indicated a couple of moments ago, they'll take considerable thought, considerable study. Perhaps they will

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come this spring of this General Assembly, but it's in another bill and we will peruse which powers, if any new powers, we're going to give to the Board of Higher Education over the course of this legislative Session this spring.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

Well, it was because, in part, of our concern for what may happen with tuitions that Democratic Members offered a bill to -- to cap tuition increases. They offered them an amendment; the amendment was not accepted. But let me also state that I am concerned about the increased power of the U of I. I think that this merger of Sangamon State with the U of I is good for Sangamon State. I agree with that. I also agree that we ought to protect the -- the bargaining unit at Sangamon State, and that has to be changed in this bill. But we may or may not act on the IBHE's recommendation now or this year or next year or the following year. In the meantime, you're going to have the University of Illinois with a larger operation, with more resources to invest in -- in lobbyists. They certainly have a very large intergovernmental affairs unit that does a great job here going to bat for the U of I. Sangamon State will now be a beneficiary of -- of that lobbying operation. But we also have to recognize that because that budget is going to grow, the individual schools - Eastern, Western, Northeastern Illinois University, Chicago State - will be going at it alone, and they'll be at a tremendous, tremendous disadvantage here until we do something to level the playing field. And I hope that that happens soon.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Will the sponsor yield for a

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question?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Hawkinson.

SENATOR HAWKINSON:

Senator, I, too, am concerned about legislative action which has the defacto effect of decertifying a bargaining unit, and my concern, I guess, is -- is enhanced in part because I understand that we'll be retaining the bargaining unit for Sangamon State for clerical employees but -- but not at the other level. But my question really is: How -- how is the process going to work for the twenty-three bargaining units under the Board of Governors? How is that going to work?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Hawkinson, as I understand it, those other institutions which have collective bargaining for faculty, those under the Board of Governors' universities, will stay the same.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hawkinson.

SENATOR HAWKINSON:

The other questions I think you've -- you've resolved for me. I've been concerned because there have been figures floating around that this is going to actually increase costs by 5.6 million. But as I understand from my discussions with you, the joint purchasing can continue by agreement. The other centralized functions, such as legal counsel and so forth, can -- I guess I also have some concern though that's been expressed here that we're going to be pitting one institution against another, a Western against an Eastern, or so forth. And -- and I don't think any of us want to see that -- see that happen. And I'm also concerned by, I think, some comments that perhaps were made in

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committee about some suggested powers to be added to the -- the Board of Higher Education, which to some of us downstate, I think, gives us some concern as well, and if you could address that issue when you close.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Not to belabor any issue, I'm going to be voting against this, but I guess I would like to ask Senator Dillard one question.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Jacobs.

SENATOR JACOBS:

I'm hearing all the discussion from the other side and from this side that we have one of the better college systems in the country. Everyone is doing well. All the schools are doing well. Our graduates coming out of our universities are all doing well, hopefully. Whenever you've -- you know, in my experience in this Body, usually we introduce legislation to -- to fix something that's broken, to help something that -- that needs some help, and if we've got such a good system, why do we want to change it?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

You are right, Senator Jacobs. We are very fortunate in Illinois to have one of the finest systems of public higher education in the world. But I think, along with elementary and secondary education, which we have discussed earlier here today, all of us want to make education, whether it's elementary and secondary or higher education, better. We have studied this. The Lieutenant Governor has given extensive thought to it, and while there may not have been a task force in the last year to eighteen

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months, believe me, under the dome here in the Capitol Building and around the State of Illinois, there are many of us who have spent a great deal of time talking about this. And I think it is the right time to fine tune an already good system of higher education, but take it to a new plane and make it the best that it can be. And again, Senator Jacobs, most private universities have individual boards. The tremendous universities of this country govern themselves, whether they're private or public, but mostly private, like we want to do in this bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Well, not to belabor the point, 'cause I'm not going to do that, but I think when we're talking K through L2, we have some reason to make some adjustments. And I went along with some of those -- those things that hopefully will make some difference. But I think there's a tremendous amount of difference whenever you have a system that is broken and one that is not. And -- and in reference to -- to the private colleges, I think that counters your argument because the reason the -- the private colleges have their -- their own boards and they run their own operations is because they are private, and they must then go out and compete for the dollars that are available with every other private and public college. And I think by making the seven separate boards, we've done nothing except create a -- a -- a system whereby everyone is just going to go out and try to gouge the other one to make sure they get their fair share. I think the system we've got is working and we should remain with it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I'd just like to state that I rise

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in support of this piece of legislation. Either as the sponsor or cosponsor for the time that I've been in the General Assembly, I think that the merits of the argument still stand and remain the same that they have over the last several years. But in particular, to address some of the needs that we have in some of our universities, certainly our university system has flourished, and being a representative of Northern Illinois University, Northern has flourished under the Board of Regents; however, it's at a point in time now when it's time to move on to change in order to allow the university to grow even more. And the same with our other universities in the State of Illinois. So I wholeheartedly support this and would urge my colleagues to vote an Aye on this measure.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Demuzio, for a second time.

SENATOR DEMUZIO:

Thank you, Mr. President. I want to clear up a couple quick points, Senator Dillard. University of Illinois at Chicago and Champaign have no academic bargaining units at -- currently; however, they do have bargaining units for other nonacademic services. Do they now bargain collectively between -- with both institutions, Chicago and -- and Champaign collectively, or do they bargain separately?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Demuzio, as I understand it, on those two campuses at the U of I today, for service type of employees, they do bargain individually at those campuses. But the difference between service employees and faculty members who are professional individuals is that the faculty is part and parcel - the integral part - of the university that has an impact on students' lives and

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their academic careers, and there's a difference between bargaining for service employees and professional faculty.

PRESIDING OFFICER: (SENATOR DUDY CZ)

Senator Demuzio.

SENATOR DEMUZIO:

I guess that's why Southern Illinois University has two different bargaining units for academics. Thank you.

PRESIDING OFFICER: (SENATOR DUDY CZ)

Any further discussion? If not, Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just to clarify a couple of points that came up during the debate, before I summarize why I believe this is an excellent bill for students in Illinois higher education. First of all, one of the reasons we make the change as we do with respect to Sangamon State University's faculty is we want the University of Illinois to be one system. I can't think of anyone who can think or fail to believe that faculty members who are at Sangamon State University today will not improve their status as university professionals by teaching at the University of Illinois as opposed to Sangamon State University. Now that is not a cut at Sangamon State University or its faculty, but I believe that all of us know that being part of one of the world's greatest institutions of higher education will enhance Sangamon State University and, most importantly, its faculty. I worked extensively, along with a number of you on that side of the aisle, in particular when I was the staff person for Governor Jim Edgar who lobbied this Body for the passage of the Illinois Education Labor Relations Act. I believe in collective bargaining for faculty and for educational employees in the State of Illinois, and in fact, it has worked very, very well in Illinois. Certainly, I do not view this as an affront or any type of anti-union activity. And you are right,

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Senator Demuzio, I will say that if the University of Illinois at Springfield's faculty can convince those at Champaign-Urbana and in Chicago, the entire University of Illinois faculty system can be union, and in that respect, this is a pro-union bill. I believe the faculty will be much better off at Sangamon State University, as a whole, by being part of the University of Illinois. Senator Hawkinson mentioned joint purchasing and the ability and elimination of pooling arrangements. This bill has a provision in it which encourages the pooling of legal services, the purchases of pens, paper clips, all of those types of services. So we will not lose those economies of scale. The Board of Higher Education powers, which were brought up by two Members of this Body, will be addressed separately. We will certainly have plenty of debate and certainly have a lot of input on whatever, if any, new powers we give the Board of Higher Education. And lastly, any of us in this Body that do not think that competitiveness goes on now between public higher education institutions in Illinois, I believe, is naive. Maybe I get different mail than you do. I do have an extremely close relationship with public higher education, but let me tell you: We all know - especially those of us who serve on the Appropriations Committee - that these universities, as they should, fight part and parcel, as well as those people who live in their regions, for the appropriate appropriation levels from this General Assembly, and it won't make a difference whether they have an individual board or whether they're part of the Board of Regents, the Board of Governors. Let me just close by saying that this legislation streamlines the structure of higher education by eliminating what I believe is unnecessary intermediate bureaucracies. The bill clarifies lines of accountability by making the university presidents and their administration directly accountable to a board of one institution.

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And most importantly, a student, a parent, a faculty member, Senator Demuzio, or people who are in the region - the residents, the business people - can make their complaints or suggestions locally to a board that will be on their campus much more than it is today, and not some bureaucrat here in Springfield. And I believe this bill, while it is not absolutely quantifiable, will save money for the State of Illinois. I would urge the passage of Senate Bill 241, the -- of higher education, which is long overdue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 241 pass. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 23 Nays, and none voting Present. And Senate Bill 241, having received the required constitutional majority, is declared passed. Committee Reports, Madam Secretary.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Senate Bills 299 and 300 - referred to the Agriculture and Conservation Committee; Senate Bills 302, 313, 320, 354 and 355 - referred to Commerce and Industry Committee; Senate Bills 292, 297, 341, 342, 343, 365, 366, 367 and 373 and 377 - referred to the Education Committee; Senate Bills 327, 328, 364 and Senate Joint Resolution 17 - referred to the Environment and Energy Committee; Senate Bills 289, 298, 335, 339, 361, Senate Joint Resolution 18 and Senate Amendment No. 2 to Senate Joint Resolution 1 - referred to the Executive Committee; Senate Bills 304, 351, 352, 353, 356 and 374 - referred to the Financial Institutions Committee; Senate Bills -- pardon me, 287, 294, 301, 307, 308, 323, 324, 329, 340, 346, 347, 348, 349, 376 and Senate

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Amendment No. 1 to Senate Bill 102 - referred to Insurance, Pensions and Licensed Activities Committee; Senate Bills 240, 291, 303, 312, 317, 332, 338, 344, 357 and 360 - referred to the Judiciary Committee; Senate Bills 306, 314, 315, 316, 318, 319, 321, 322 and 330 - referred to the Local Government and Elections Committee; Senate Bills 293, 309, 331, 334, 358, 359, 362 and 378 - referred to the Public Health and Welfare Committee; Senate Bills 285, 288, 295, 296, 325, 326, 345, 368, 369, 370, 371 and 372 - referred to the Revenue Committee; Senate Bills 286, 290, 333, 336, 337, 375 - referred to the State Government Operations Committee; Senate Bills 305, 310, 311, 350, 363 - referred to the Transportation Committee; and Senate Amendment No. 2 to Senate Resolution 10 Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Madigan, for what purpose do you rise?

SENATOR MADIGAN:

Thank you, Mr. President. Purpose of an announcement - that the Senate Committee on Insurance, Pensions and Licensed Activities Committee will meet in Room 400 immediately upon adjournment. We want to consider a Floor amendment. It'll be a very short meeting, and I would ask the Members to be prompt and on time. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

On the middle of page 5 of your regular Calendars, we have Senate Bills 3rd Reading. Senate Bill 242. Read the bill, Madam Secretary

ACTING SECRETARY HAWKER:

Senate Bill 342 -- pardon me, Senate Bill 242.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

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SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 242 is the companion bill, somewhat, to what we just passed, which was the reorganization of higher education. This is another higher education reorganization bill, and it is a bill that I think I get a number of questions from my constituents about. And what it does is it changes the University of Illinois Board of Trustees from an unknown -- a relatively unknown elected nine-member Board statewide to a nine-member Board appointed by the Governor for staggered six-year terms. I believe it's also something that is well-needed in the State of Illinois. I think I get a lot of complaints as I go around my district that there are far too many people that my constituents do not know on the ballot. They don't know who some of these people are, and as you all know, because we are involved in political life, the real purpose or one of the appointed purposes of the University of Illinois Board of Trustees is we use it to see whether areas are Republican or Democratic by nature, because voters tend to just vote straight party lines as to what's in their gut on that particular election day because they don't know who these people are. And we believe that going to an appointed Board of Trustees is a better way to go, and it also, I believe, will take needless names off of the statewide election ballot so that people can focus on those races, including legislative races and local races, that they should be paying more attention to. And I'd move its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Sponsor indicates he will yield. Senator Hall.

SENATOR HALL:

When did this happen that all of a sudden that -- I have a lady - very high-class lady - former regional superintendent of schools - was elected to the Board of the University of Illinois. Woman hasn't been in the office at -- well, you know. You're well aware of that. Her name's Mrs. O'Malley. She's a top-notch person throughout the whole State. As a matter of fact, I was beginning to wonder, when she was up there all that time, when they were swearing in everybody, and she was the lone person in the State of Illinois who is a Democrat that was elected. Now, this lady campaigned throughout the State. She did all these things. Top-notch person. Everybody has nothing but the greatest of praise. Now are you coming along here to say that -- well, the first thing I ought to ask: Who's going to make these appointees now?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Senator Hall, the Governor will make these appointments. And I had the pleasure of meeting Mrs. O'Malley at the inauguration about a month ago, and if the Governor finds her as qualified as you and I and some others believe that she is, there's no reason she cannot go on -- back on the Board of the U of I under the new process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hall.

SENATOR HALL:

Well, I rise in strong opposition for this. It's -- it's -- you know, it's really a shame for a person to campaign throughout the State and here, with a couple of months, we come here and we make these changes altogether. It's -- it's really sad. You are

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going to lose one of the -- the greatest minds, with this lady, if she's in there. Now, we always have a problem when it comes to making appointments, for the Governor to make these appointments for that -- I -- I questioned some of these appointees when Governor Thompson was here. And I said, "Say, when are you going to appoint some people downstate?" I had one person who -- that I was told, "Well, the reason that -- we -- we got a university down there." I said, "Wait a minute. We have a university in Edwardsville, too." But to make a long story short, even though it's just -- it's really -- to take a person like that, have them campaign all over this State and almost, to add insult to injury, if you remember, she was a lone Democrat who was elected and when it came time, why, her son, who was a judge, was up there swearing her in. The band was beginning to close up. She hardly got a chance to even get up there. That was an affront to her, along with that. And I just resent those kind of things that's happened. And I'm happy you had an opportunity to meet her. And, you know, she's -- but the point is that now you're going to take everybody off the Board and the Governor's going to appoint them. Is this -- when does this take effect, if the bill passes and he signs it into law?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

The bill would take effect in January of 1996, and the terms initially would be staggered, and the terms are longer than those terms of a sitting Governor, so you would have staggered, longer terms. Somebody would be on the University of Illinois Board of Trustees longer than perhaps in the Governor's Office.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hall.

SENATOR HALL:

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I'm terribly upset about this. This is an affront, if there ever was one. And it's just sad to have this person come -- she was asked to be on the Board. She'd been regional superintendent. She did a great job throughout the State. And she was approached. Here you are -- the -- I know I haven't seen her since this bill's come up, but I know she's going to be terribly disappointed. And I'm -- I rise in strong opposition to this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator O'Malley, for what purpose do you rise?

SENATOR O'MALLEY:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR O'MALLEY:

I -- I know many of us know he's here, but I think it's appropriate that we recognize that a former Member of the Senate is on the Floor today, our own Lieutenant Governor Bob Kustra. Maybe we could give him a round of...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Welcome to the Senate. Welcome to the Senate, Senator. Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. Here we go again, contradictions again. I'm just amazed that we would be in -- on this Floor considering doing away with the democratic process. If we're not happy with people elected statewide, then we certainly have some other ways of doing this. They were mentioned at the committee hearing yesterday - elections by districts - other means are possible. This bill fails to consider any of those. Now here we have the same group that put upon us elections and local school councils and so forth in the name of democracy, which I support, and yet here we are, taking it away, on the other hand. One of

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the advantages of an elected Board of Trustees for the largest university in the State of Illinois, which is now becoming an ever-larger system, is that the people in one small way have the ability to provide a check and balance with the university administration and with the Governor's Office. I want you to understand, fellow legislators, what you are doing when you pass this bill, if you do so, and I hope you won't. You are investing in one person's hands the power to appoint the boards of all the universities in the State of Illinois, with no check and balance in any other way. I think that's wrong, and I think it's a dangerous precedent to start. I don't care where else they do this; we have been, I think, much better served by having one of our boards, at least, elected.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I do recognize that November 8th was the beginning of a whole "Newt" World and we saw that changeover take place, but I find it ironic that the one place where the Republican Party has been unable to win the elections happens to be the University of Illinois trustees. So what we see is where they could not, in their "Newt" world, achieve the victories at the ballot box, they want to steal, instead, from the rights of the people, with a pen. What they cannot win with the mark at the box, they will now steal with the Governor's signature and take away the people's right to elect who they want to run the university system, in order to take over Republican control. I think that's all this is about.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senator Molaro had an amendment to

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this bill, which unfortunately was not attached to it, and that raises an important issue - probably far more important than whether the U of I Board is elected or not - and that is the issue about the ever-increasing cost of going to the University of Illinois and other colleges and universities throughout the State of Illinois. Since 1991, September of 1991, we've had increases in four straight years: 4.9 percent, 17.2 percent, 4.9 percent and 5.6 percent - a thirty-six percent increase, while inflation has only risen twelve percent. We've talked about capping taxes for taxpayers. Why don't we do something for middle class taxpayers that will really help them, and that is capping tuition? We should put an amendment on this bill that says that tuition will not continue to skyrocket far beyond the cost of inflation, far beyond the ability of individual parents to pay. I think that we should amend this bill in the House, hopefully Senator Dillard will support that in the House and it will come back to us. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would like to reiterate the statements that have been made by Senator Palmer and Senator Carroll, in that removing the right of choice of the voter flies in the face of all of our democratic ideals. We are putting in the hands of one person the appointment of the members of the Board of Trustees of the University of Illinois. I have no problem with that, if this Body sees fit to make this an appointive kind of position; however, I do believe that there should be a breakout of the people that are making these appointments, to make sure that there is minority, as well as majority, representation on the Board. Thank you very much.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Any further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. A question, and then a comment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator del Valle.

SENATOR DEL VALLE:

Thank you. Does this bill require a geographical balance in the appointments?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

No, it does not, Senator, but the appointer of these Board of Trustees is one of the few officials who runs statewide. And whether the Governor is a Republican, a Democrat, a Libertarian, or whatever, the Governor runs statewide, and I would assume that that individual, whoever she or he may be, has an interest in making sure that all factions of Illinois, geographically or other, are taken care of and representative on the one university which truly represents all of the State of Illinois.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator del Valle.

SENATOR DEL VALLE:

Senator Dillard, then let me make a recommendation here. When this bill gets over to the House, I would recommend that an amendment be attached to this bill that would be the amendment that respects the decision and the choice of the voters in the last election, at least. I really think it's unfair to do away with the seat of an individual who was duly elected just this last election and then two years into a six-year term, they're told that's it. Regardless of what the voters decided at the ballot box, they're out. I -- I question whether or not this is constitutional. But that amendment -- if an amendment could be

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added to say that those individuals who were elected will at least be given the opportunity to continue serving on the Board until the completion of the term that they were elected for, then I think it would make this a littler easier to take.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me at the onset in my closing argument say that I have great admiration for those who run for the University of Illinois Board of Trustees. They travel long miles; they drive everywhere, regardless of what political party they are with, in pursuit of what they believe is a noble thing, and that's serving on the Board of the University of Illinois. But let's face it: No one knows who these people are, and in a time of -- of long electoral ballots, those are just extra names of faceless people that not many of us - even me, who's in the business of politics, like you - know where these people stand on particular issues. The bill is bipartisan in nature. And maybe there'll, in my lifetime, be a Democratic Governor and a Democratic Governor can make appointments to the Board of Trustees of the University of Illinois. But this is an attempt, also, to take politics out of education - higher education - which I believe is important. It interjected itself recently, a few years ago, in the chancellorship of the University of Illinois at Chicago, and politics has no place in the part of education. Also, it's very important to remember that while the Governor may make these appointments, the Senate has the advice and consent, under this bill, on those nominees. So if we do not like them, if we feel they are not geographically balanced or qualified, we can certainly do what we do on most gubernatorial appointees, if we

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want to, and that is, reject them forthright. In terms of those who say, "Let's elect these people because that is the better way to go; we elect local school councils and others," I would say, yes, with local elections, perhaps we know those individuals better; we know where to find them. But again, these are nameless, faceless people on a ballot, that I would venture to say most people in Illinois do not know. I believe this is a better way to go; it's a better way to govern a major, major business and institution of higher learning in the State of Illinois. And again, like the previous bill, it's long overdue, and I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall Senate Bill 242 pass. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 31 Ayes, 25 Nays, none voting Present. And Senate Bill 242, having received the required constitutional majority, is declared passed. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, we're just curious to see if everybody's here, so we would request a verification.

PRESIDING OFFICER: (SENATOR DUDYCZ)

That request is in order. Senator Demuzio has requested a verification of Senate Bill 242. Will all Senators be in their seats? Will all Senators be in their seats? The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

The following Members voted in the affirmative: Barkhausen, Burzynski, Butler, Cronin, DeAngelis, Dillard, Donahue, Dudycz, Ralph Dunn, Fawell, Fitzgerald, Geo-Karis, Hasara, Hawkinson, Karpel, Lauzen, Madigan, Mahar, Maitland, O'Malley, Parker,

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Peterson, Petka, Raica, Sieben, Syverson, Walsh, Watson, Weaver, Woodyard, and Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Does Senator Demuzio question the presence of any Member voting in the affirmative?

SENATOR DEMUZIO:

Senator Ralph Dunn, who just came back on the Floor. Senator DeAngelis?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis. Senator DeAngelis. Is Senator DeAngelis in the Chamber? Madam Secretary, strike his name. Is -- does Senator Demuzio...

SENATOR DEMUZIO:

Senator Syverson?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson is standing next to Senator Watson.

SENATOR DEMUZIO:

Senator Walsh?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Walsh is in the Chamber.

SENATOR DEMUZIO:

Senator Parker?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker is in her seat.

SENATOR DEMUZIO:

Let's try Senator DeAngelis again.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Does Senator Demuzio question the presence of any other Member voting in the affirmative? On a verified roll call, the Ayes are 30, the Nays are 25, those voting Present are none. And Senate Bill 242, having received the required constitutional majority, is declared passed.

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PRESIDING OFFICER: (SENATOR WATSON)

It is the intention of the Chair to go to the Supplemental Calendar which has been distributed. Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Yes. I just wanted to inform the Body, Mr. President, that Senator Molaro is ill today, and that's why he's not here.

PRESIDING OFFICER: (SENATOR WATSON)

Very good. The record will so reflect. Senator Madigan, for what purpose do you rise?

SENATOR MADIGAN:

Thank you, Mr. President. Just to point out, as far as that posting notice and the announcement that I made previously about the Insurance Committee meeting immediately upon adjournment, the earliest that we would meet would be 3:30, in case we adjourn prior to 3:30. And I just wanted to make that part of the record. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Everyone should have their Supplemental Calendar No. 1. It should be on your desk. We're going to proceed, and we will start at the top with Senate Bill 8, which is sponsored by Senator Watson. I would like leave to possibly go back to that at a later point during the day. Senate Bill 20. Senator Weaver. Senator Weaver. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 20.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted one Committee amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments that have been approved for consideration?

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ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 48. Senator Mahar. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 48.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 76. Senator Peterson. Out of the record. Senate Bill 105. Senator Fawell? Senator Fawell on the Floor? Out of the record. Senator Hasara, on Senate Bill 113. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 113.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 159. Senator Raica? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 159.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Public Health and Welfare adopted two Committee amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

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PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 160. Senator Sieben? Senator Sieben. Out of the record. Senate Bill 177. Senator Welch? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 177.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 182. Senator Rauschenberger. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 182.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Energy and -- pardon me. The Committee on Environment and Energy adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 203. Senator Trotter. Senator Trotter on the Floor? Out of the record. With leave of the Body, we would like to go back to Senate Bill 160. Senator Sieben.

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Madam Secretary, would you please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 160.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Environment and Energy adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Madam Secretary, would you please read Senate Bill 211.

ACTING SECRETARY HAWKER:

Senate Bill 211.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Hawkinson? Senator Hawkinson. 214. Out of the record. Senator Parker? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill...

PRESIDING OFFICER: (SENATOR WATSON)

Senate Bill 216.

ACTING SECRETARY HAWKER:

Senate Bill 216.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

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PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 217. Senator Carroll? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 217.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Madigan, on Senate Bill 225. Would you please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Bill 225.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 238. Senator O'Daniel. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 238.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senate Bill 253. Senator Maitland. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 253.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Committee Amendment No. 1.

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PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We are on page 3 of the Supplemental Calendar, under House Bills 2nd Reading, and we find House Bill 200. Senator Dudycz. Please read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 200.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Revenue adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments that have been approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. ...intention of the Chair to go back to 3rd Reading and go back through the Calendar one more time. That would be on page 3. Senate Bills 3rd Reading. It's the intention to go to Senate Bill 25. Senator Jacobs. Senator Jacobs, on the Order of 3rd Reading, Senate Bill 25. Madam Secretary, would you please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 25.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

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SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill that came out of committee, unanimously. What it does, it allows a school district who has surplus school safety funds to use those funds to construct a cafeteria for the purpose of closing a campus during the lunch period. This was brought about because in my area of a -- of a school district that had some deaths for -- from kids being out at lunch, a number of accidents and because of a lot of trouble in the -- in the areas adjoining that in regards to shoplifting and some of the other issues. I know of no -- no known opposition and ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? If not, Senator Jacobs, you may close.

SENATOR JACOBS:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 25 pass. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 voting Yes, no voting No, no voting Present. Senate Bill 25, having received the required constitutional majority, is declared passed. Senator Jacobs, on Senate Bill 26. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 26.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

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SENATOR JACOBS:

Yes. Thank you, Mr. President, Ladies and Gentlemen of the Senate. Here's a bill that we -- I got from NCSL. There was a request by the National Humane Society for the State to act in regards to horse tripping. I know I knew nothing about horse tripping, and I know that the committee did not. We showed a video. And what this would do, it would bar in Illinois the -- the tripping of horses by virtue of either roping and/or poling their front legs. What this does, it's a sport -- called a sport whereby they lasso the front legs of the horse, pull the legs out from underneath -- underneath the horse, causing it to tumble, and in most cases, breaking legs, neck, et cetera. So, it's an issue that I think whose time has come, and there are couple of areas in the State of Illinois where this is happening. And we just feel it's time to outlaw it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Garcia.

SENATOR GARCIA:

Thank you, Mr. President. To the sponsor: Senator Jacobs, have you ever lassoed a horse?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

I have trouble riding a horse.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Garcia.

SENATOR GARCIA:

Well, that's precisely my point. I'm not sure that you're qualified to be the sponsor of this type of legislation, and I just wanted that on the record. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further discussion? Senator Jacobs, to close.

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SENATOR JACOBS:

Just ask for an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 26 pass. Those in favor, vote Aye. Opposed, vote No. 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 53 voting Yes, 1 voting No, no voting Present. Senate Bill 26, having received the required constitutional majority, is declared passed. On a roll, here. Senator Jacobs, on Senate Bill 28. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 28.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Thank you -- thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a bill that currently the State of Illinois is immune and also counties are immune from civil liability when you go to -- to -- it's an immunity for -- when they go to community programs. And this bill would allow a municipality to be immune from liability whenever they went to community programs for city ordinance violations and traffic violations. It puts it in sync with the rest of the law. Again, I know of no -- no known opposition and ask for support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, the question is, shall Senate Bill 28 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

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question, there are 54 voting Yes, no voting No, no voting Present. Senate Bill 28, having received the required constitutional majority, is declared passed. Senator Woodyard, on Senate Bill 41. Out of the record. Senate Bill 42. Senator Woodyard. Out of the record. Senate Bill 43. Out of the record. And 44, also out of the record. Senate Bill 50. Senator Maitland? Out of the record. Skip 51 and 52. Senate Bill 54. Senator Woodyard? Senate Bill 55. Senator Weaver. Out of the record. Senate Bill 58. Senator Molaro. Out of the record. Senator Geo-Karis, on Senate Bill -- out of the record. Senate Bill 75. Senator Butler? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 75.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Butler.

SENATOR BUTLER:

Thank you, Ladies and Gentlemen. We talked about fast tracks. This should be one. Last year on Senate Bill 1302, which left this Senate by an overwhelming vote, we -- a date -- a very essential date was inadvertently omitted, and all this bill does is to add that date in the proper Section. And I would appreciate your support.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Seeing none, the question is, shall Senate Bill 75 pass. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, no voting No, no voting Present. Senate Bill 75, having received the required constitutional majority, is declared passed. Senate Bill 77 is

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out of the record. Senate Bill 78. Senator Rauschenberger. Out of the record. Senate Bill 79, Senator Fitzgerald, is out of the record. Senate Bill 86. Senator Fawell. Senator Fawell? Out of the record. Senate Bill 87. Senator Lauzen. Out of the record. Senate Bill 95. Senator -- Severns. Excuse me. Senator Severns? Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 95.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This bill simply brings into line the Policemen's Downstate Pension Fund to provide that once a widow remarries, that she does not forfeit - she or he - does not forfeit their pension benefits. Right now, that's the language that the firefighters have, and we're just trying to bring into line the language for the policemen's pension fund, as well. I had an individual in my district who had this problem, and I know of no opposition. The cost, at least based on the Illinois Economic and Fiscal fiscal note, would be insignificant.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Just a brief question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor will yield, Senator Dudycz.

SENATOR DUDYCZ:

Senator Severns, you say this affects just the downstate and

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suburban police pension article. Do -- do the current police in Chicago have this provision at all? Because I'm unaware of that.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Severns.

SENATOR SEVERNS:

Apparently, it -- it is into effect after the age of sixty.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCZ:

Well, thank you. I just have been told that it's in the following bill. So, thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Any further -- any further discussion? Seeing none, Senator Severns, you wish to close?

SENATOR SEVERNS:

I would just urge a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 95 pass. All those in favor, vote Aye. Opposed, vote No. 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 53 voting Yes, no voting No, no voting Present. Senate Bill 95, having received the required constitutional majority, is declared passed. Senate Bill 97. Senator Fawell. Out of the record. Senate Bill 99. Senator Raica. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 99.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Raica.

SENATOR RAICA:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 99 amends the Chicago Police Pension Article to implement an agreement between the Fraternal Order of Police and the City of Chicago. The bill, as amended, increases to seven hundred dollars per month, beginning January 1, 1996, the minimum of the widows' annuity. It then provides for duty disability benefit payable for at least ten years and shall be at least fifty percent of the current salary attached to that rank. In addition, for annuitants born before January 1 of 1945, it presents a three percent automatic annual increase in the annuity, allows such an increase to begin at age fifty-five, rather than age sixty. And finally, it provides that a duty disability for officers with at least ten years of service who are disabled by heart disease. This was very little debate in committee, and it was agreed to by the City of Chicago and the Fraternal Order of Police.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Walsh, for his maiden voyage.

END OF TAPE

TAPE 4

SENATOR WALSH:

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

PRESIDING OFFICER: (SENATOR WATSON)

The Senator will yield, Senator Walsh.

SENATOR WALSH:

I just wanted to clarify, Senator Raica, I have a situation in my district, where we have a police widow whose husband was killed in 1948 in the line of duty. She was -- he was five months short

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of ten years of service, and because of that, she has not been eligible. Because he did not have ten years of service, she has not been eligible for increased pension benefits. I just wanted to make sure that -- that this situation would be handled in this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Raica.

SENATOR RAICA:

Senator Walsh, currently the law states if you -- you needed ten years of service on a job prior to collecting. We are now changing that stipulation here and the date is removed. So, whether you had one year or two years, or the ten years, this individual will be taken care of.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. The benefits in here, are these benefits that will be dealt with as it relate to the Chicago pension system? Will it impact on the Chicago pension system?

PRESIDING OFFICER: (SENATOR WATSON)

Question of the sponsor. Senator Raica, do you wish to respond? Senator Raica.

SENATOR RAICA:

. I would imagine since it pertains to the Fraternal Order of Police, and they are Chicago police officers, the answer would have to be yes, Senator.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR JONES:

What impact would it have on the -- the taxes? I know the property taxes of the City of Chicago pay the pension system. Would this have any impact on the property taxes paid by the

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residents of the City of Chicago?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Raica.

SENATOR RAICA:

Well, thank you, Mr. President. Senator Jones, I would have to say that being an election year and the Mayor of the City of Chicago, very cognizant of the fact that taxpayers don't want to pay higher property tax rates, that he would have taken this all in consideration, and he did sign off on it with the Fraternal Order of Police.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR JONES:

-- I guess they endorsed him -- I appreciate that very much. But I -- I was trying to get at some of the provisions in there. We have another provision for a three-percent compound. I know we in the legislature have a three-percent compound that hits at age fifty. Could you explain what that three-percent compounding is, and why is -- is it for all policeman, or just for a select few?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Raica.

SENATOR RAICA:

Senator Jones, the bill states that the annual three-percent post-retirement increases at age fifty-five instead of sixty for those born before 1945 and having more than twenty years of service at retirement. The bill eliminates the thirty-percent maximum increase for any police officer who has terminated service prior or before the effective date of the amendatory Act.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR JONES:

Well, how many people -- how many persons on the police

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department would that three-percent compounding impact? When you're lowering it just for those individuals, how many policemen will be impacted by such?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Raica.

SENATOR RAICA:

Senator Jones, I don't have those figures in front of me at this point in time. They were not brought up in committee when the hearing was -- was taking place, but I -- I would imagine they were brought up between the City and -- and the Fraternal Order of Police.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

SENATOR JONES:

Well, what I'm trying to get at, why -- why do you have a particular age -- a particular date for one to be -- to be included in the three-percent compounding? Why didn't -- why -- why you put that particular date? I'm quite sure you're trying to limit it to a -- a very select few. Is that what you're attempting to do? Well, why do you have the year 1945? What about the policemen who serve -- were born in 1950? Why are you discriminating against those persons who were born after 1945?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator Jones, this was an agreement that was reached between the City and the Fraternal Order of Police. I was not at the meeting that was held. I was merely asked to carry the piece of legislation, so I can't stand here and lie to you. I don't have an answer for that question.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones.

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SENATOR JONES:

Yeah. You being a very great Senator, and my good friend, I know you would not lie. All I was trying to find out, why the discrimination for the rest of the police who serve; why you're not permitting them at age fifty-five to receive the same three-percent compounding at age fifty-five than sixty. Why are you just trying to have a select group? Perhaps -- I know the City -- you know, I live in the City. I think you -- I don't know whether you live -- you live in the City, also. But we -- you know, we had a property tax-cap bill and this is a special -- this is a special interest for a select few. All I was trying to do is find out why. The City should have told you that.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Dudycz.

SENATOR DUDYCYZ:

Thank you, Mr. President. First of all, Senator Jones, I was born in 1950, and this provision you are referring to will not affect me. And I'd like to -- I'd like to declare a possible conflict, since I am an active Chicago police officer, but because the majority of the bill will not affect me, it will be affecting the current police widows and orphans of our fallen police officers in the City of Chicago, I will be voting my conscience. But I have been assured by those members of the Fraternal Order of Police and every representative of the City who has come to my office and strongly supported this bill they said that they worked out the differences. And even though they would have liked to have had people like myself covered in them, because of the tax-cap legislation and other fiscal matters, they're trying to keep the cost down, and the fiscal impact to the City will not be great; it will be minimal. And I guess that's it. I just hope that everybody will support it.

PRESIDING OFFICER: (SENATOR WATSON)

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Further discussion? Senator Raica, to close.

SENATOR RAICA:

Mr. President, just that I think...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jones, for what reason do you rise?

SENATOR JONES:

Thank you, Mr. President. I apologize for rising a second time, but I was not referring to you, Senator Dudycz, as such. Because I know you are much younger than that. You may look a little older, but -- but what I was referring to is that I -- I cannot understand why you're going to penalize those persons born after 1945 who serve on the department. I know I have a district with a lot of Chicago police personnel, but why are you just going to penalize -- it seems to me you're just trying to take care of a very select group. But this is what you call a hidden tax increase on the property owners of the City of Chicago, because it's a tax levy that takes care of the pensions in the City of Chicago. And those individuals who talk about curbing and holding down the cost of government, this is a tax increase, because it is paid for by the taxpayers of the City of Chicago. I am for taking care of the widows and the orphans and so forth, but let's be honest about it, because this is -- this does deal with the tax base of the City of Chicago.

PRESIDING OFFICER: (SENATOR WATSON)

Is there further discussion? Seeing none, Senator Raica, to close.

SENATOR RAICA:

Senator Jones, I just -- you know, with the speech you just gave, I -- I guess it helped, because I can't slow your Members down; they're coming over here to be hyphenated sponsors. I can't sign the slips fast enough. But even more than that, I mean, you did bring up a good point. And I -- I think the reason that it

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was done instead of going fifty -- age fifty-five across the board -- obviously I find it kind of hard because you were the person that sponsored all the pension bills for police and firefighters, and now you're actually giving an argument against police and firefighters. So I'm lost there just a little bit. But I would be willing, and since the Fraternal Order of Police are here - the president is here, Mr. Nolan - I think that you brought up an excellent point; that I would sponsor legislation, that regardless if the City of Chicago's opposed to it or not, which they probably will be, to allow police officers and firefighters as age fifty-five, regardless of birth date. I'd be more than willing to sponsor that with you, and -- and I would like thank you for that. Otherwise, I would just ask the -- the Membership for their gracious Aye vote on Senate Bill 199 <sic> for the Fraternal Order of Police.

PRESIDING OFFICER: (SENATOR WATSON)

Question is, shall Senate Bill 99 pass. All those in favor, vote Aye. Opposed, vote No. 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 52 voting Yes, no voting No, no voting Present. Senate Bill 99, having received the required constitutional majority, is declared passed. That effectively concludes 3rd Reading for today. And, Senator Fitzgerald, for what reason do you rise?

SENATOR FITZGERALD:

Mr. President, I just would like the record to reflect that I intended to vote No on Senate Bill 25. If the record could so reflect, I'd appreciate it.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you. Senator Madigan, for what purpose do you rise? Senator Madigan. Senator Madigan.

SENATOR MADIGAN:

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Thank you, Mr. President. We've had some discussions, and it is not necessary for the Insurance Committee to meet at 3:30. So the Insurance Committee meeting that was previously posted is cancelled. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you. For all practical purposes, that concludes our business. We have some paperwork that the Secretary needs to read into the record, and that would be Introduction of Bills.

SECRETARY HARRY:

Senate Bill 392, by Senator Woodyard.

(Secretary reads title of bill)

Senate Bill 393, by Senators Peterson, DeAngelis and Dillard.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hall, for what purpose do you rise?

SENATOR HALL:

Some information, Mr. -- Mr. President. What time do we come in tomorrow morning?

PRESIDING OFFICER: (SENATOR WATSON)

That's a good question, Senator. It's 8:30 in the morning, and we're going to try to start promptly. So, 8:30 tomorrow morning we will proceed with our Session.

SENATOR HALL:

Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Thank you. Mr. Secretary, Introduction of Bills.

SECRETARY HARRY:

Senate Bill 394, by Senators Peterson, DeAngelis and Dillard.

(Secretary reads title of bill)

Senate Bill 395, by Senators Fawell and Parker.

(Secretary reads title of bill)

Senate Bill 396, by Senator DeAngelis.

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(Secretary reads title of bill)

Senate Bill 397, by Senator Philip.

(Secretary reads title of bill)

Senate Bill 398, by Senators Madigan and Cullerton.

(Secretary reads title of bill)

Senate Bill 399, by Senator Barkhausen.

(Secretary reads title of bill)

Senate Bill 400, by Senator Barkhausen.

(Secretary reads title of bill)

Senate Bill 401, by Senator DeAngelis.

(Secretary reads title of bill)

Senate Bill 402, by Senators Fitzgerald, Dillard and
Barkhausen.

(Secretary reads title of bill)

Senate Bill 403, by Senator Shaw.

(Secretary reads title of bill)

Senate Bill 404, by Senator Rauschenberger.

(Secretary reads title of bill)

Senate Bill 406 <sic> (405), by Senator Klemm.

(Secretary reads title of bill)

Senate Bill 406, by Senator Carroll.

(Secretary reads title of bill)

Senate Bill 407, by Senator Fitzgerald.

(Secretary reads title of bill)

And Senate Bill 408, by Senator Fitzgerald.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WATSON)

Mr. Secretary, Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that

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

House Joint Resolution 8.

Adopted by the House, February 8th, 1995.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any further business to come before the Senate? If not, Senator Berman moves that the Senate stands adjourned until 8:30 a.m., Friday, February 10th. 8:30 in the morning. Senate stands adjourned.

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