

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

(MIDNIGHT)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

...Reports.

SECRETARY HARRY:

Senator Karpel, Chair of the Committee on Executive, reports House Bill 2406, the First Conference Committee Report Be Approved for Consideration; House Bill 2524, the motion to recede from Senate Amendment 1 Be Adopted; and Senate Amendment No. 3 to House Bill 322 Be Adopted.

PRESIDING OFFICER: (SENATOR DONAHUE)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

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

House Joint Resolution 133.

Adopted by the House, May 22nd, 1996.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions.

SECRETARY HARRY:

Senate Resolution 229, offered by Senator Severns.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. Senator Jacobs, for what purpose do you rise?

SENATOR JACOBS:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Madam President, I would request a Democratic Caucus in Senator Emil Jones' Office immediately.

PRESIDING OFFICER: (SENATOR DONAHUE)

That is already -- always in order, Senator Jacobs, and the Senate will reconvene in twenty minutes.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WEAVER)

Senate will be in order. WCIA-Channel 3 and WICS request permission to videotape. Is there leave? Leave is granted. On the regular Calendar, page 3. Senator Cronin seeks leave to -- of the Body to return House Bill 322 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted. On the Order of 2nd Reading is House Bill 322. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senators Cronin and Bomke.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We had a lengthy debate in committee earlier, and this amendment - this Senate Floor amendment - becomes the bill and it adds the following provisions: Number one, it changes the retirement formula for downstate and Chicago teachers to include a 2.2-percent flat rate; number two, it provides a onetime ad hoc increase in retirement/survivor annuities for downstate and

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Chicago teachers who began receiving such annuities on or before January 1, 1990; number three, it includes an additional .5-percent employee contribution to the Chicago Teachers' Retirement System and the TRS from their respective members; and number four, it includes a State Mandate Act exemption. With respect to the flat-rate formula and the ad hoc increase, I would like to point out to the Members that fourteen states, including Illinois, have retirement systems which are not coordinated with Social Security. Illinois has the lowest benefits, based on the following key measures: one, years required to attain a full benefit, namely seventy-five percent of final average salary; two, pension after twenty years of service; three, pension after thirty years of service. Only Illinois and Rhode Island have a four-step retirement formula. Three states have a two-step formula, and the remaining nine states -- nine states have a single-step flat-rate formula. The proposed 2.2-percent formula is based on the average benefit granted by non-Social Security retirement systems nationwide. Finally, as you know, we voted on a pension bill earlier that did not contain a provision for employee contribution. This bill says a number of things. This amendment that becomes this bill says a number of very important things. Number one, it says the Majority Members of this General Assembly, I believe, are establishing a responsible and a fair approach. Number two, it says that employees much contribute to their pension. This General Assembly establishes a policy that employee contribution is an important part of any pension plan, and we are clearly stating that in this bill. Finally, this bills calls for an increase from 8.5 to nine percent of employee contributions. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Jacobs.

SENATOR JACOBS:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Thank you, Mr. President. We'll wait until 3rd Reading on the questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The motion -- the amendment is adopted. Any further Floor amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Cronin, on the Order of 3rd Reading is... Intervening business, we'll go to -- on the Supplemental No. 3. House Bill 2406. Senator Dillard? Senator Dillard. Mr. Secretary, do you have on file a conference committee report on House Bill 2406?

SECRETARY HARRY:

First Conference Committee Report on House Bill 2406.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The Conference Committee Report on House Bill 2406 does three things. First, it moves the cooperative extension matching funds out of the University of Illinois budget and into a State Cooperative Extension Service Trust Fund administered by the Illinois Department of Agriculture. It's the same as Senate Bill 1749, which passed out of this Body 57 -- or, 52 to nothing earlier this Session. It also takes the Illinois Institute of {sic} (for) Entrepreneurship Education out from under the jurisdiction of Northern Illinois University and places it under the Illinois Community College Board. And the last provision of this bill authorizes the University of Illinois to exercise certain powers with regard to a thirty-acre area of land located

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

on or adjacent to the University of Illinois-Chicago campus. Concerning that last provision, I want to make a couple of clarifications. First, the University of Illinois has recently acquired and may continue to acquire property in the City of Chicago which extends the southern and eastern boundaries of the University of Illinois at Chicago. The Board of Trustees of the University of Illinois desires to develop this property in ways which are beneficial to, useful for, or supportive of the University purposes, and in order to do so, may seek partnerships in the private sector. And in doing so, the University will recognize all applicable oversight responsibilities exercised by the Illinois Board of Higher Education for capital improvement projects. It's worked extensively with the City of Chicago, and for legislative clarification, I wish to note that the University of Illinois commits to work closely with the City of Chicago in the south campus development area designated in this legislation and to honor the intergovernmental agreement with the City. The University will not exercise its power of eminent domain on any of the United Parcel lots in this area, and the University has no intention and has not used its powers of condemnation on any of the commercial properties on Halsted Street. I've discussed this with President Stukel today, and I'd be happy to answer any questions any Members of the Body may have at this late hour.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Garcia.

SENATOR GARCIA:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR GARCIA:

Senator Dillard, I've just had a -- a chance to glance at the Conference Committee Report, and as I see here, the Conference

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Committee Report deals with a portion of property that lies within the district that I represent, if I'm not mistaken. And if page 6 of the Conference Committee Report is correct, I'd like to know why I haven't been consulted by the University of Illinois. Would you have an answer to that, sir?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Well, I don't know, Senator. I don't represent the -- the University of Illinois. I'm just a Member of this Body. I know that this has been before this Body twice, I think, this Session, and I don't know why you have not been contacted by them. But I will tell you that they are available and more than willing, I'm sure, to discuss any concerns you have.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

Well, I have another question then, and maybe it's not fair of me to ask you this, but since you're carrying the bill, I'm left with no other recourse. One of the buildings that is in this property is the St. Francis Church, which was in the news at the beginning of the year, and it successfully -- the parishioners of that parish successfully fought to keep it as a parish with the archdiocese, the U of I, and the City of Chicago, which were all in favor of getting rid of it, as I understand it. Does this give the University any power to take possession of the plot of land on which the church lies?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Senator Garcia, in the committee, just an hour or so ago, the top assistant to the President of the University of Illinois

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

committed that that particular beautiful parish will be untouched and probably be enhanced by whatever development plans they have for this area. So I think yours and your constituents' concern that that particular parish will remain intact physically, as well as open - and I know that the University of Illinois has contacted Cardinal Bernardin's office in Chicago - and their plans, I think, will meet with your approval. It'll remain untouched.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Garcia.

SENATOR GARCIA:

Well, I appreciate that answer, and I hope that it is true. But I do resent the fact that I have not been consulted on a matter which affects my district, that affects the larger part of my district that I represent and that I was elected to, in this Body. And I additionally resent the fact that I very frequently visit the University of Illinois and that I studied at the University of Illinois at Chicago and that they don't have the decency or the courtesy to talk to me, because I, along with the representatives of the University, want to see the University do well in the future, but they continue to show, in my opinion, disrespect to the community. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins...

SENATOR GARCIA:

That's why I will vote against it.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Thank you. I'm going to be brief and then I'll yield to Senator del Valle, because he has some questions. But, Senator, in -- in committee earlier this -- when we -- when we discussed this bill about an hour ago, you indicated that, for the record,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

you would read into the record some clarification -- clarifying languages to ensure the intent of this law, because I -- I raised the issue of oversight -- fiscal oversight. I also raised the issue not by buildings that were used by the University itself, but those buildings that were leased or sold to -- used by persons other than the University being somehow, in this bill, exempt from any limitations applicable to laws pertaining to the University itself, in terms of, I guess, the -- the use and construction, affirmative action, and et cetera, of these particular buildings. And -- and could you explain that for us?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Senator Collins, I know it was a little noisy in here when I was giving my introductory statements, but in my introductory comments I read into the record, for legislative intent, a statement that President Stukel sent to Richard Wagner, the Executive Director of the Illinois Board of Higher Education, which addressed your concerns, and I also read into the record appropriate comments concerning the relationship with the City of Chicago that I think answered both of your questions. And I know that the President's office from the University of Illinois, in committee, said that they would comply with the applicable affirmative action types of procedures and the other things that you were concerned with, and I read them into the record in my opening statement.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I have a few questions for the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

He indicates he would yield.

SENATOR DEL VALLE:

Senator Dillard, what is the Illinois Board of Higher Education's position on this bill?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

I believe they are officially opposed; however, the President's office from the University of Illinois has assured them that they have no intent, from the University of Illinois' prospective, to do anything that would -- would abrogate the responsibilities exercised by the Illinois Board of Higher Education for capital improvements and the applicable oversight.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator del Valle.

SENATOR DEL VALLE:

Senator, this -- this bill gives the University of Illinois Board of Trustees the power to acquire any interests in land, buildings, or facilities. It -- it allows them to sell property without compliance with the State Property Control Act, and it gives the University of Illinois Board of Trustees powers that I don't think any other university - public university - board in the State of Illinois has. Is that correct? Am I correct in that? And if so, why are we doing this, and are we going to allow every other single -- every other university board the same powers?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

...comments, Senator. First of all, Central Management Services is in accord and in agreement with the changes in the Property Control Act of the State. And we don't accord these

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

powers to other universities, and I guess my comment to you is, this is a very unique area of the City of Chicago, near the University of Illinois campus, and it's different than anything that other universities are doing.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator del Valle.

SENATOR DEL VALLE:

Well, I -- I keep hearing that the University of Illinois is unique. I guess they are unique in the sense that they get the lion's share of the dollars that we appropriate for public four-year universities. But you indicated that for capital projects that they would still have to go through the Capital Development Board, but let me point out that on page 7 of the Conference Committee Report, line 234, I think it is, it indicates that "the Board of Trustees shall not be required" - "shall not be required" - "to seek or obtain the approval of any State board or agency". What are we doing?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

Again, I know that the University of Illinois has communicated with the Illinois Board of Higher Education, and the University of Illinois has recognized and will recognize all the applicable oversight responsibilities exercised by the Illinois Board of Higher Education for capital improvements. I did note, Senator, during the committee, even though he's not a Member of the Executive Committee, that our Appropriations Chairman, Steve Rauschenberger, was in the room listening, and I have some confidence in us as State Senators, and our colleagues across the Rotunda in the House of Representatives, that we as the Legislature will watch, under our powers, what the University of Illinois is doing with this particular thirty-acre tract of land.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bowles. Senator Bowles?

SENATOR BOWLES:

Thank you, Mr. President. Senator Dillard -- question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR BOWLES:

Senator Dillard, in looking at this Conference Report, I noticed that there were three of the Members of the conference committee who did not sign on to the Report. Is there some reason for this? Were they not available, or was there a reason that they -- were reluctant to sign on?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dillard.

SENATOR DILLARD:

I believe, Senator Bowles, that the only reason they didn't sign - and you can ask them; they're on your side of the aisle, and I apologize to them for not personally giving them the Report or presenting it to them - it was just a matter of time, of trying to get this filed and printed so that we could have the Executive Committee meeting of the State Senate.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? Senator Bowles.

SENATOR BOWLES:

As a correction, one of the persons who did not sign is a Member of your side of the aisle. Not to be argumentative, Senator Dillard. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2406. Those in favor will vote Aye. Opposed will vote Nay. The

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 8, 4 voting Present, 1 not voting. The Senate does adopt the Conference Committee Report on House Bill 2406, and the bill, having received the required constitutional majority, is declared passed. On Supplemental Calendar No. 3 is House Bill 2524. On the Order of Non-concurrence is House Bill... For what purpose does Senator Cullerton arise?

SENATOR CULLERTON:

Yes. While we have a break here, I happened to notice that our colleague, Senator Madigan, has returned, and I just wanted to welcome him back to the Senate and hope that he's feeling better.

PRESIDING OFFICER: (SENATOR WEAVER)

Glad to have him back. ...Supplemental Calendar No. 3 is House Bill 2524. On the Order of Non-concurrence is House Bill 2524. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to recede from Senate Amendment 1 to House Bill 2524. The motion, by Senator Bomke.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bomke, to explain the amendment.

SENATOR BOMKE:

Thank -- thank you, Mr. President, Ladies and Gentlemen of the Senate. I wish to recede from Amendment 1, putting the bill back in the original form, as it was when it came over from the House, which would apply to State Employee Retirement System and State University Retirement System, changing the graduated pension formula to a flat rate of 1.67 percent for those who are coordinated employees and 2.2 percent for noncoordinated employees. Also, it would require a contribution by employees of one-half percent. There's an ad hoc annuity increase for retired State employees and university employees. It provides a onetime

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

increase in pensions and last-day pay for State employees covered under the alternative formula. Grants last-day pay for salary purposes for all occupations covered under the alternative employees {sic}, which is recognized as hazardous State employment. I'll entertain any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bomke has moved that the Senate recede from Senate Amendment No. 1 to House Bill 2524. Is there any discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR JONES:

Senator Bomke, the net effect of this -- your motion would -- would cause the State employees -- is it to cause State employees to contribute more to their pension system?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bomke.

SENATOR BOMKE:

Senator, it would require a half a percent, which the union representatives have signed off on.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Was you done?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones, just keep your light on, if you wish to ask more questions.

SENATOR JONES:

Well...

PRESIDING OFFICER: (SENATOR WEAVER)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Senator Jones.

SENATOR JONES:

Okay. It would -- it would cause them to contribute more. Now, what you are doing, in essence, is taking the downstate teachers out and the Chicago teachers out of this bill, am I correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bomke.

SENATOR BOMKE:

The House did that by nonconcurring with our amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones.

SENATOR JONES:

Well, the House did not take it out. What you are attempting to do is take it out. I voted for this bill. Now, by your taking this out and with the other bill that you have that you're not sponsoring, but your colleague is sponsoring, what you are doing, in essence, is -- is increasing the contribution that the downstate teachers, as well as Chicago teachers, would have to pay in the other -- other bill, which is Senate {sic} Bill 322. Am I correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bomke.

SENATOR BOMKE:

Not on this bill, Senator. That's another bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Jones. Turn your light on.

SENATOR JONES:

It was always on, but you keep cutting it off.

PRESIDING OFFICER: (SENATOR WEAVER)

I cut -- I don't cut the lights off up here.

SENATOR JONES:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Well, someone is doing it.

PRESIDING OFFICER: (SENATOR WEAVER)

I just react to which lights are on the board here.

SENATOR JONES:

Senator Bomke, what is the accrued liability of this pension bill to the pension systems that would be affected if your motion is successful? What is the accrued liability?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bomke.

SENATOR BOMKE:

Approximately 1.4 billion amortized over fifty years.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator Jones, your light is not on on my board. Thank you. Senator Jones.

SENATOR JONES:

Well, you know, I'm not turning it off, so it must be a ghost up there or something. But, Senator Bomke, now, what is the fiscal impact of this bill for the first year? I notice there's nothing in the budget for it, even though we have not seen the... What's the fiscal impact if your motion is successful?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bomke.

SENATOR BOMKE:

Seven hundred and fifty thousand.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones, my light does not light up up here. Now it's lit up.

SENATOR JONES:

One final question. One final question. The bill that came over from the House, which I voted for, had a -- it did not have the employees making a contribution. Now, this -- this motion forces the State employees, even those on the lowest rung of the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

employment scale making maybe fifteen or twenty thousand dollars a year, their take-home pay is going to be reduced because this motion will automatically require them to pay a half of a percent more of their take-home salary. Am I correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bomke.

SENATOR BOMKE:

Senator, you are wrong. The bill that came over from the House is exactly like the one you have in front of you. And I will remind you that the House Democrats, your colleagues, voted for it. The vote was 104 to 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones.

SENATOR JONES:

This is the final question. The amendment that -- that you are receding from - the one -- the amendment that you are receding from - is the one that would have not required them to pay that half a percent. Am I correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bomke.

SENATOR BOMKE:

The amendment -- that is correct. The amendment that we are receding from had eliminated that contribution.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Molaro.

SENATOR MOLARO:

Thank you. I'll try to be brief as possible. You know, one time in committee, in the Pension -- or, it might have been Insurance -- Insurance and Pension Laws {sic}, Senator Fitzgerald asked some of the sponsors of the bill if he could tell the truth, said it'd be nice if the sponsors would tell the truth, and I think my response was, I don't know if Senator Fitzgerald could

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

handle the truth. Well, let me say this: I don't know if we can handle the truth about this particular bill and what's going on here today. I don't think there's anybody who's in this Chamber or anybody who's listening on the Democratic side, and some of our Democratic friends, doesn't know what's going on here. These are pension bills. These are important to all the people in the State of Illinois. We understood that last year, when we created, in the infinite wisdom of our -- our -- our Senate President, and we went along with it - our Minority Leader - we created the Pension Laws Commission. The reason was, we knew how important this was. We knew the shape our State was in. We knew the problems that was in this, and we decided we're going to try for once, if we possibly could be responsible, and take pensions away from the political process and put it into a governmental process, and we'll try to be as fair and honorable as we can. We weren't going to play politics with pensions. This is the second half of a Session. We weren't supposed to do things like this. Our friends in labor knew these things weren't supposed to happen. The Governor's Office knew these things weren't supposed to happen. The idea was that when we had a pension bill, what we were going to do is we were going to go to the employers, we were going to go to the employee, we were going to go to the Pension Board. We were going to sit down and craft something that was good for all to the State of Illinois. We weren't going to go out piecemeal and for political purpose -- purposes try to put something together as quickly as we can. What actually happened here is we had someone in the House come up with something for State Retirement, probably as a political ploy. It came over here. We said, "Well, instead of helping fifty thousand people, let's add the teachers and make it two hundred thousand people. That'll be a great vote-getter. It'll be killed in the House." Well, the problem is when you create these monsters, heads start popping up and it gets away

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

from us. And now we have a monster that none of us - none of us in this Chamber - know how to deal with it. The Republicans are caucusing for hours and hours. We're caucusing for hours and hours. We're trying to make all kinds of deals here because we created a monster that no one wants to pull their sword out and kill. So we come up with, "Let's do 322. Are we going to pull it first? How many votes do we have?" We're going back and forth, trying to figure out a way how to slay a monster that got away from us. This shouldn't be here. It never had any reason to be here. We're in the second half of a Session. It was a political ploy on a very, very sensitive issue that we have no business taking up. So all I would say for people who are out there, we're playing with people's pensions. We know this is irresponsible. It got away from us, and now we're figuring a way out. His way out, which isn't bad, is to let's take the teachers out; let's get rid of the teachers. Even though he thought it was a good idea a week and a half ago, well, the House didn't concur. Well -- whatever the House doesn't concur on, I guess we're going to recede from our amendments. We don't do that. That's not the right answer. The problem is you don't know what to do. If I had a solution, I'd have come over and told you. There is no solution. We created a monster. We got to kill this monster tonight. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Everything that I'm going to say tonight, or this morning, is directed at the bill and certainly not at the sponsor. I have nothing but affection for the sponsor, and as a matter of fact, I don't have any questions for the sponsor tonight. Ladies and Gentlemen, politics and pension finance just don't mix. This is deficit spending. When we spend

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

your grandchildren's piggy bank money, when we saddle future generations with our lack of discipline, and maybe even character, by promising what we don't deposit and then asking children who have not yet been born to pay for our spending, we deserve not only skepticism, but outright scorn. Now, out of deference to my respected colleague, I won't list the recent descriptions of this bill in various newspapers. What a vote to recede does is dump the downstate and Chicago teachers while trying to cover this whale of a giveaway with a sardine of a contribution. I ask: Have you -- have you seen any of the numbers? And I think that the answer is no, and I say: Imagine that - we're going to be spending billions of dollars and none of us feels comfortable, and so we have to guess. Today, according to the -- to the Economic and Fiscal Commission, the good folks, bipartisan folks, over there, they produced a report that shows that the cost of these promises in just the State Employee Retirement System and the University Retirement System is thirty billion dollars. Contribution of one half of one percent equals four billion. That's a net outflow of about twenty-six billion dollars. If -- no matter how large, in the future, our State budget gets, the financial calculation that brings it back to today's dollars - the net present value - according to this report this morning, is approximately 7.8 billion - not 1.5, as we've been told, but 7.8 billion, less the fifteen-percent contribution. What that represents is a hundred-percent increase in the unfunded liability that we've created from the beginning of time to today, and what we propose tonight is to double the unfunded -- the unfunded liability in those two pension funds. Here is a nickel and a dime. Here is a dollar bill. Here is the contribution; here's the bill. Now I know what people mean when they say that we're getting "nickeled-and-dimed" to death. This roughly doubles what -- what has been built up in that unfunded liability. You know,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

if this weren't so serious, I'd say that Springfield's gone Hollywood tonight. We're trying to -- in trying to pay this back, we're going to have a -- a preview of Mission Impossible. But, really, what does thirty billion dollars buy, besides nearly two full years of General Revenue Fund spending? If it costs an average of five thousand dollars to educate a child, thirty billion dollars represents teaching all two million of our children in this State for three full years, and that's what we're promising tonight. If you look at a program like Meals on Wheels, thirty billion dollars would feed every person - every person, young and old - in this entire world for a day. That's what we're promising today. If crime and punishment is your hot button, thirty billion dollars would buy you six hundred State prisons. That's what we're promising today. Let's think about that. Let's vote No and put this proposal into the Pension Laws Commission.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, what this bill attempts to do is provide for a more equitable retirement formula for all of our State employees. And when I went back home last weekend and talked to a number - a great number - of my State employees, I told them that you might have to spend a little bit -- put a little more money in it yourselves, and they said, "We don't mind. We could go even up to three and four percent. We used to pay four percent." The point is that Illinois is way at the bottom in the fairness and equity of the State pensions of the employees. And all the -- all the rhetoric we can have today -- first of all, if this motion to -- to recede succeeds, the bill will go to the Governor, and I'm sure, in his wisdom, he will work out something that's equitable to the State employees. And I feel that all the rhetoric against it, if you

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

people don't want to vote to help the State employees get a better retirement formula, which they're entitled to after so many years, which we haven't done for them for so many years, that's up to you. But I'm going to vote for it, and I urge all my colleagues to vote for it. I think it's a step in the right direction, and that -- I can assure you, there isn't one State employee I talked to who wasn't willing to contribute at least a half percent, if not more.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. There's two categories of people here that I think ought to vote No on this motion. We heard from Senator Lauzen, who gave us the numbers. He was very sincere. As a good accountant, he was very accurate. Let me tell you the other side of this and why I urge, as a person who disagrees with Senator Lauzen, but I'm going to vote with Senator Lauzen: I'm going to vote No. Illinois has a terrible pension system. The State of Illinois has not properly addressed either the State employees or the teachers. If we recede from this amendment - if you vote Yes - you are hurting every teacher in the State of Illinois, in Chicago and outside of Chicago. Every teacher, you are hurting. That's what a Yes vote does. It hurts them. In addition, we're going to be playing games, because the explanation to your teacher friends is that Senate {sic} Bill 322 is going to be taken care of; we're going to pass that later; the House is going to take care of it. I doubt that. It was asked of the sponsor whether there's a commitment from the House to pass 322; there is no commitment. Is there a commitment from the Governor? There is no commitment. I think we have to address the inadequacy of our pensions. That's why I'm going to vote No. And that's why I ask those of you who are concerned about the pensions for our

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

employees, and for our teachers, to vote No, because we want all of labor and all of the legislators who are concerned with our laborers - teachers and others - to vote No so that united, as a broad, singular group, we can bring pressure on the conference committee, which will follow this No vote and the failure of this amendment, to put together a good bill that we can pass tomorrow. We're going to be here tomorrow; we can pass it tomorrow. I urge a No vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. Let me see if I can get this straight. Tonight, or this morning - almost 2 o'clock in the morning - we have the leaders of the Democratic Party of Illinois, the defenders of the unionized working men and women of our State, are telling us to vote No. Well, you know, earlier in Senate Executive Committee, which I sat in, I was listening to the leaders of these unions. Let's hear -- let's hear what they had to say. Well, we had Henry -- Henry Boyer, the Executive Director of AFSCME; he -- Bayer, Executive Director of AFSCME, said "Vote Yes." He said "Yes" very strongly. Steve Preckwinkle, Illinois Federation of Teachers, in the most strongest of terms said "Vote Yes." Legislative Director of the Illinois AFL-CIO, Sean Stott - and I'm only reading it the way they write it - he said "Vote Yes." Al Drantz, Local 2000 AFSCME, he says "Vote Yes." Sharon Corrigan, Legislative Director of AFSCME, pleaded "Vote Yes." All these people filled out witness slips. "Please, the defenders of the working men and women of Illinois, vote Yes." And then you have the -- these colleagues of ours that are supposedly pro-union. For twelve years I've been down here, Mr. President, and I've heard them plea to us: Please, for the working men and women of Illinois - please, for the working men and women of

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Illinois - do this for them. And now it appears that they are going to turn their backs on the same working men and women that they've been pleading for.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Bomke, to close.

SENATOR BOMKE:

Thank you, Mr. President. Someone mentioned this is political. I think it's far from that. It's time that we take care of the people that have served the State of Illinois and given their lives to the State of Illinois. The pensions are terrible. I have a letter here, and I'm -- I'm going to read a little bit. It was received -- I received it from a constituent, and it has one, two, three, four, five, six, seven, eight, nine Democrat Senators who signed it, that are in favor of passing a pension bill for the State employees, and it reads: "Our support for this bill demonstrates that the Democratic side of the aisle can deliver what we hope is the deciding number of votes for Illinois public employees. They deserve a better future and we should act now to ensure that future." Signed by Senator Demuzio, Senator Bowles, Senator O'Daniel, Senator Welch, Senator Clayborne, Senator Rea, Senator Jacobs, Senator Dunn, Senator Shadid. Now, if you vote against this bill, you're playing politics. It's time we have taken care of these people. We've heard a lot of noise tonight. This is not a new issue. This issue has come up virtually every year for the last eleven years. An employee wants to retire with full benefits from the State of Illinois. If they go to work at eighteen, they've got to work to age seventy-five. That's wrong. This bill reduces it to forty-five. I got a call from a couple of former State employees yesterday. One of them worked for only ten years. He was earning fifty-five thousand dollars a year. His -- his pension benefits are less than four hundred dollars a month. I got a call from

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

another employee that was earning sixteen thousand dollars and worked for twenty years. His pension was three -- is three hundred and fifty dollars. I want to thank Senator Lauzen for his comments. He sincerely feels very strongly in what he believes, as we do -- do we all. We talked about the unfunded liability. Why is it unfunded? It's unfunded because the State of Illinois - this General Assembly - has abrogated its responsibility. If we would have been funding that Fund, we wouldn't be at fifty percent today. If we had continued as we had prior to 1982, we would be at eighty-seven percent funded. The reason -- I, too, feel that teachers should be on here, but the hour is getting late. The hour is getting late, and it's important that we get a pension bill to the Governor of the State of Illinois. I'm hopeful that we'll be able to pass 322 and send it to the House and they'll concur with it, and then send that to the Governor. The problem with this bill, if it goes to conference committee, Senator Demuzio, you know as well as I do, it'll die. Senator -- Senator, I would ask for a favorable vote. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 2524. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Last call. Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 31, none voting Present. The motion fails. Senator Cronin. On the Order of 3rd Reading... Senator Madigan, do you wish to handle the bill? Excuse me. On the Order of 3rd Reading is House Bill 322. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 322.

(Secretary reads title of bill)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan, to explain the bill.

SENATOR MADIGAN:

Thank you, Mr. President and Members of the Senate. It's good to be back with everybody. On this bill, Senator Cronin's amendment became -- becomes the -- the entire language of House Bill 322. And with all due respect, I would ask that I be able to defer House Bill 322 and that debate to Senator Cronin.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I explained earlier, and at that time, I believe Senator Jacobs said that he listened carefully, understood the bill thoroughly on behalf of the Members on his side of the aisle, and that he may have some questions later. So I'd be happy to entertain some questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a little bit like the subject matter of the last bill. We'd love to vote for it, but there's always some problem that crops up. And one of the problems that we have, and I have in particular, with this bill is that this bill, if we do pass it, has to go back to the House, and I guess my question would be, of the sponsor: Do you have a guarantee from the House that the Speaker of the House will call it, and if so, when?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Like most of the legislation that -- that we consider here, I -- I -- there's no guarantees. Like all the legislation we consider here, there's no guarantees.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Well, that's my problem. We're getting late. You know, we're at the point where we're asked to be buying a pig in a poke. We're talking about something that should all be in one package. All of the employees should be treated fairly and equitably across the board. But it's my understanding that the Speaker has indicated publicly that he would not hear this bill if the Chicago Board of Education was opposed to it. And it's my understanding that they are opposed to this. Can you -- can you respond to that?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

The Chicago Board, led by the management team that was put in place by Republican-sponsored legislation last Session, has expressed concern, and they are opposed to this legislation. We have pledged to work with them, like we've worked with them in the past, to make this bill workable.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Just one final thing, to the bill and everything else that we've been talking about: Last year we asked the teachers of the State of Illinois to give seventeen percent more in order to be -- to ensure that their health insurance was taken care of. Now we're asking them to pay seventeen percent more again in order to ensure that they get a increase in the pension. They're probably

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

willing to do that, and we're probably willing to go along with that. But we're only willing to go along with that whenever we have a comprehensive package that includes all of labor, all of the labor that works for the State of Illinois. And whenever we can get that job done, then I think you should bring this bill before us; otherwise, I think you should pull it out of the record.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think we have an interesting situation here, and let me just share with you my thoughts. The previous motion was to recede. It failed.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman, will we -- kindly confine your remarks to House Bill 322?

SENATOR BERMAN:

Thank you, Mr. President. This issue is similar to the bill that we just debated. The question is of pensions. In my previous remarks on the previous motion, I suggested that we should have a unified approach to address the pension problems of our State employees, our university employees, and our elementary and secondary teachers. I would suggest that that same principle be followed here, because there is no representation that the House is going to do anything regarding this bill as it is presently amended. I was shocked not to hear an oral motion to nonconcur and have a conference committee on the previous bill. That is up to the sponsor, and his side of the aisle, to make that motion. I haven't heard it yet. But that's where the future of pension relief is going to lie. It won't lie in 322 because the House isn't going to do anything on 322. It's up to us to address

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

the pension inadequacy with a united front on the bill that we just finished debating, not House Bill 322. For that reason, I strongly urge that we vote Present on House Bill 322 and that we urge, as I am doing now, that the principal sponsor of House Bill -- of Senate {sic} Bill 2524 ask for a Second Conference Committee -- ask for a conference committee on that so that we can put it together and pass a good pension bill for a united pension needs throughout -- for all of our employees, including teachers, including the State. We could pass that tomorrow. I urge a Present vote on House Bill 322.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, I feel obligated to the teachers, and I don't think we should take any chances and just say, "Well, go ahead and send it; just -- just put it in conference" and so forth. I think the hour -- time is getting late. I think we owe it to the teachers to try and help them, the downstate teachers particularly, and I think it's time that we put our politics aside and do the best we can, and hopefully that the -- the House can accept this bill. And I certainly speak in favor of it.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Molaro.

SENATOR MOLARO:

Thank you -- thank you, Mr. President. I'll make a quick comment. Again we're being asked to vote on something, and I really don't know what the figures are. We're going to vote on something that's going to put the State of Illinois in a big, big hole. I've had four different people give me four different sets of figures. I have no idea what we're voting on. We have the Mayor of the City of Chicago, the Governor, the Board of Education

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

from the -- from the City of Chicago, all saying that the numbers are wrong, this is a mistake. The employer is telling us no. The pension -- the -- the Board of -- of Education is telling us no. And we're going to say, "Well, we don't care. Let's vote on this anyway. Let's not send it to a conference committee." I want to read this. It'll take one second. It says: We used to have -- when I first came here, we had a Pension Laws Commission. All the pension laws would go to that Commission. They would make a recommendation to the General -- Assembly. I can never remember the time when we did not take their recommendation. They had the actuaries; they had the professionals, and they would -- make a recommendation to us. I think in the past they did a very good job, and we need somebody professionally to tell us what we ought to do on pensions and how they affect us down here. That made sense then. It makes sense now. And those words were said last year by President Philip. He made sense then. He makes sense now. Let's bring it to the Pension Laws Commission. Let's come back this November with bills that helps our pensioners with long, thought-out, thoughtful, responsible type of debate. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. My -- my remarks will be brief also. I just would like to comment as far as the Executive Committee earlier. We also heard House Bill 322 earlier this evening where the Illinois Federation of Teachers spoke in favor -- filled out a witness slip in favor. Public School Teachers Pension of Chicago, in favor. The Illinois AFL-CIO, in favor. Service Employees - the Illinois Council, Chicago Teachers' Union came up front. The -- the assistant to the president, Dave Peterson, came up front. I asked him what was the unfunded liability. He said that the Chicago Teachers' Pension Fund is

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

eighty-one percent. It's one of the healthiest, if not the healthiest, pension system in the State. He -- when I asked him something that Senator Jones had -- mentioned about a -- a property tax increase resulting as a -- if you vote for this bill, it was his opinion, no, there was no need for their property taxes to go up in Chicago. The various -- IEA -- filled out a witness slip in favor of this. Am I hearing right? The people who have purported to be in favor of working men and women, ever since I've been down here, are now turning their back on those same men and women of Illinois? I can't believe my ears.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. You know, after listening to some of the previous speakers from that side of the aisle reading off a litany of labor leaders coming in in support of this bill, and I recall sitting in committee when these same labor leaders talked about the rights of working people, their right to strike, their right to collective bargaining, their benefits, and -- and, as well, as you tried to place a cap on the awards that they would be given in case they are injured on the job. And all of a sudden, in an election year, you think you will come in and redeem yourself. It just does not work. This bill -- if you're so concerned about working people in Illinois, you would not have had the number one bill that your side of the aisle sponsored that took away the rights of working people across the State of Illinois. And you're not going to redeem yourself with downstate teachers or Chicago teachers or the workers throughout the State of Illinois in pretending - in pretending - that you're attempting to do something as it relate to pension benefits. Your good friend on the other side of the aisle {sic}, the -- the Speaker, Lee Daniels, said he's not going to do anything for Chicago

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

teachers. If this bill pass, it's going to fall; it's not going to -- not even going to pass in the House. So why are you continuing to play these games? And I trust -- I trust that the teachers, be they upstate or downstate, I trust that they would not fall to this folly, this big pretense that you're trying to do something. I think they are more intelligent than that, and they're not going to be with you, Senator Dudycz. They are not going to be with you, because they remember all the votes you voted against them on. And you voted to -- you voted against the Chicago teachers when you voted not even to -- to permit them to strike. So don't pretend because this is -- this is an election year, and let's not play -- stop playing these silly games. Lee Daniels is not even going to call this bill. You know it and everyone else knows it. And if Senator Bomke had the courage to do what is right, he would -- he would -- he would call for a conference committee report so everyone can sit down and we can deal with the serious issue of really doing something for the employees of the State of Illinois, for the teachers of the State of Illinois, and we can take care of the business in proper fashion, rather than continue to play these silly games.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

SENATOR DeANGELIS:

You know -- thank you, Mr. President. A life ago, I was a bachelor, and I could well recall -- I had a roommate, and we used to go to a bar, Senator Palmer, right down in your neighborhood called the East End Park Lounge. And they would give you, on Wednesday night, two drinks for the price of one. For a dollar twenty, you could have six martinis. Now... It's Wednesday night; you're right. And -- and I had a roommate. He was six foot three. He looked like Aldo Ray. I mean, one of the best-looking guys, but he had a little problem. Somewhere down

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

the line, he stumbled. One night we're in the bar, and this very attractive woman -- and I could still remember her name; I won't repeat it, 'cause she might still be alive and she doesn't want to hear this story. But he asked her...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis, would you confine your remarks to the bill?

SENATOR DeANGELIS:

So, this attractive young lady walked in, and my roommate asked her to go out on Friday night, 'cause he thought it would be inappropriate to just try to pick her up. So Friday night came. He went over to get her, and she wasn't there. So the following Wednesday we went back in the bar again, and she showed up again. And he asked her to go out again on Friday night; he went there and she wasn't there. And he said to me afterwards, he said, "You know, I'm going to really fix her. I'm never going to ask her out again." That's what you guys sound like. No -- you know, you -- it isn't... You know what? It's -- it's not your plan, therefore you can't vote for it. Why don't you just say that? Why don't you just say it's not your plan? Let's -- you know, Senator Jones, you speak with forked tongue. You talk about fiscal responsibility in one breath, and when this bill puts in there a contribution, which shows fiscal responsibility, you pooh-pooh the whole idea. Now, you know what? If you want to talk about politics, if you want to talk about hypocrisy, say it: I don't want to vote for this 'cause the Republicans came up with this. Because I want to tell you something: I have a roll call here with ten more Republicans on the last bill than there was on the previous bill, and seventeen less Democrats. Seventeen less. Now if you want to tell me that this bill is far worse than the bill that seventeen Democrats worked for, you are really in la-la land. And I have to tell you: Somewhere down the line, you have to respond to that. But don't turn around and give us the big snow

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

job. You want -- don't want to vote for the bill? Don't vote for it. But don't come up with these cockamamy excuses like, "Oh, Speaker of the House is not going to let this bill be called." When the hell have you ever been concerned about what Lee Daniels does? Do we have a new morality tonight, a new spirituality, that all of a sudden we don't want to offend Lee Daniels by sending him a bill that he might not like? Please, spare me. Spare me, okay? Because I know that's not what you think. You could give -- you don't care about Lee Daniels. You don't care even about the people that you have professed to represent for a long, long time. What -- you know what happened here is you got nailed for what you are: an exploiter of the people that you turn around and have professed to represent. Does this bill have everything in it that it should? Probably not. But I'll tell you something: It was a heck of a lot better than when it went out of here. And if you find in your heart that you can't vote for a bill that's better, then just do me one favor: Just go ahead and vote No if you want to, but don't insult me and my Members here by trying to convince us that all of a sudden you've had a new revival, that all of a sudden you've got this gray of intelligence, and all of a sudden you've got this sense of fiscal responsibility and all of a sudden you've got this deep concern for Lee Daniels. Please spare me. Please spare me. Do anything else you want, but don't insult us.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin, to close.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Everything has been said in more ways than one. The bottom line is that the pension benefits in this State are poorly funded. The commitments over the years have been weak. The commitments by this General Assembly over the years have been weak. The posturing from the other side of the aisle does not help the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

workers and it does not help the teachers. You can talk about the process, and we know that the process is far from perfect. This is not pretend. This is it. This is the bill. This is the only game in town. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Senate Bill -- House Bill 322 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? One more chance. Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 8, 23 voting Present. The bill, having failed to receive the required constitutional majority, is declared failed. Is there any further business to come before the Senate? If not, Senator Philip moves that the Senate stand in recess until 10 a.m., Thursday, May the 23rd. For what purpose does Senator Carroll arise?

SENATOR CARROLL:

Just an inquiry of the Chair. I know Senator Berman raised the question earlier, just whether the Chair could advise us whether or not Senator Bomke had asked for a conference committee on House Bill 2524. Okay.

PRESIDING OFFICER: (SENATOR WEAVER)

I don't see Senator Bomke on the Floor, so the Senate will stand in recess until 10 a.m., Thursday, May the 23rd.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

...morning. We'll be starting shortly. I hope that all the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Members will come -- be in their seats. The regular Session of the 89th General Assembly will come to order. Will the Members please be in their seats and at their desks, and will our guests in the gallery please rise. Our prayer today will be given by Senator Raica. Senator Raica.

SENATOR RAICA:

(Prayer by Senator Raica)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Amen. Thank you, Senator Raica. The Pledge of Allegiance, with Senator Sieben leading.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Madam President, I move that reading and approval of the Journals of Monday, May 20th; Tuesday, May 21st; Wednesday, May 22nd, in the year 1996, be postponed, pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Without objection, so -- Senator Butler moves to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, so ordered. Senator Cullerton, for what purpose do you rise, sir?

SENATOR CULLERTON:

Yes, thank you, Madam President. Just a procedural point, I guess. You know, we were supposed to come in at ten, coming in at twelve. I just wondered, as a courtesy to the Members - I'm sure this applies to both sides - if someone could just give us an idea, you know, that things are going to be delayed, you know, we'll be coming in in an hour or two, I think it'd be very helpful.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Well, I think -- I can honestly tell you that we'll be here today and tomorrow. And as far as the timing goes, we're not certain as yet. Senator Clayborne, for what purpose do you rise?

SENATOR CLAYBORNE:

Madam President, I rise for a point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Would you state your point, Senator Clayborne?

SENATOR CLAYBORNE:

In the gallery -- in the President's Gallery behind you, Madam President, I have students and parents and teachers from A.M. Jackson Math & Science Academy, from the City of -- great -- great City of East St. Louis, Illinois. Would the Senate please rise and -- and recognize them?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will the guests in the gallery rise? And welcome. Welcome to Springfield. WAND has requested permission to report and photograph. Hearing no objection, permission granted. WICS-TV requests permission to videotape -- tape the -- the Senate. Hearing no objection, permission granted. Is it Spencer, from - I can't quite make out his handwriting - Associated Press for still photos? Any objection? Hearing none, permission granted. Committee Reports, Mr. Secretary.

SECRETARY HARRY:

Senator Sieben, Chair of the Committee on State Government Operations, reports Senate Bill 1465, the First Conference Committee Report Be Approved for Consideration.

Senator Klemm, Chair of the Committee on Local Government and Elections, reports House Bill 2529, the First Conference Committee Report Be Approved for Consideration.

Senator Fawell, Chair of the Committee on Transportation, reports the First Conference Committee Report on House Bill 3436

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Be Approved for Consideration.

And Senator Cronin, Chair of the Committee on Education, reports the First Conference Committee Report on House Bill 545 Be Approved for Consideration and Senate Amendment 2 to House Bill 2596 Be Adopted.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

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

House Joint Resolution 127.

Adopted by the House, May 22nd, 1996. It's a death resolution.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Consent Calendar.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

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

Senate Bill 1019, together with the following amendment, which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Amendment 3 {sic} (2).

Passed the House, as amended, May 22nd, 1996.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

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

SENATOR O'DANIEL:

Madam President, a point of personal privilege. In the gallery to -- on the back to my right on the Republican side is a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

group of students from Robinson School. I'd like for you to stand and be recognized and welcomed to the Illinois Senate.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will you please stand up? We -- we welcome you here. Welcome to Springfield, to the Illinois Senate. Thank you, Senator O'Daniel. Senator Fawell, for what purpose do you rise, madam?

SENATOR FAWELL:

Thank you very much. I have some guests in the gallery from St. Petronille School in Glen Ellyn, which is, of course, the town that I live in. I would like the Senate to recognize them, and I would like the group to stand.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Would you please stand? And welcome, from St. Petronille School. Thank you for coming. Senator Klemm, for what purpose do you rise, sir? Senator Klemm? Ladies and Gentlemen of the Senate, we will now go to Executive Session for the purpose of advise and consent. I'll repeat: Ladies and Gentlemen of the Senate, we will now go to Executive Session for the purpose of advise and consent. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Governor's Messages of February 9th, 1996, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you -- thank you, Madam President. I move the Senate resolve itself into Executive Session for purpose of acting on the Governor's appointments set forth in his Messages of February 9th, April 17th, May 8th, and May 14th, 1996, and the Treasurer's Messages of March 7th, 1996. Madam President, with respect to the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Governor's Message A of February 9th, 1996, I will read the salaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be the Chairman of the Illinois Human Rights Commission for a term ending January 18th, 1999, Manuel Barbosa of Elgin.

To be members of the Illinois Human Rights Commission for a term ending January 18th, 1999, Clyde Brooks of Mount Prospect, Mary Hallstrom of Evanston, Jane Rader of Cobden, Isiah Thomas of Calumet Park, Vivian Stewart Tyler of Chicago.

To be members of the State Mining Board for terms ending January 20th, 1997, Thomas Austin of Herrin, Richard Mottershaw of Carlinville, Robert Weatherford of Pinckneyville, Perry Whitley, Jr., of Crossville, C. Michael Whitten of Hillsboro, J. Scott Williams of West Frankfort.

Madam President, having read the salaried appointments, I now seek leave to consider these appointments on a roll call. And, Madam President, will you put the question as require by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 56 voting Aye, none voting Nay, none voting Present. And majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. With respect to the Governor's Message A of February 9th, 1996, I will read the unsalaried appointments to which the Senate Committee on Executive

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Appointments recommends that the Senate do advise and consent.

To be a member of the Capital Development Board for a term ending January 18th, 1999, Raymond Mota of Lake Forest.

To be a member of the Illinois Gaming Board for a term ending July 1st, 1996, Byron {sic} (Bryon) Cudmore of Springfield.

To be members of the Lottery Control Board for terms ending July 1st, 1997, Paul Tomazzoli of Hillsboro and David Zaransky of Northbrook.

To be a member of the Lottery Control Board for a term ending July 1st, 1998, Mary Ann Koppel of Skokie.

To be a member of the Board of Natural Resources and Conservation for a term ending January 20th, 1997, Allan Mickelson of Golconda.

To be the Public Administrator of DuPage County for a term ending December 1st, 1997, Paul Didzerekis of Wheaton.

To be the DuPage -- Public -- DuPage County for a term ending December 1st, 1997, Duilio Pierotti of Addison.

Madam President, having read the unsalaried appointments, I now seek leave to consider these appointments on a roll call. Madam President, will you please put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote No -- Nay. The -- the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. And the majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Burzynski.

SENATOR BURZYNSKI:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Thank you, Madam President. With respect to the Governor's Message B of February 9th, 1996, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be a member of the Board of Aeronautical Advisors for a term ending January 20th, 1997, John Goldrick of Bloomington.

To be a member of the Illinois Coal Capital -- Coal Development Board for a term ending July 1st, 1999, Wilfred Connell of Decatur.

To be a member of the Havana Regional Port District Board for a term ending June 30th, 1998, Scott Williams of Havana.

To be a member of the Prairie State 2000 Fund Board of Directors for a term ending July 1st, 1998, Lori Thomas Healey of Chicago.

To be the Public Administrator and Public Guardian of Hancock County for a term ending -- December 1st, 1997, LeRoy Ufkes of Carthage.

Madam President, having read the unsalaried appointments, I now seek leave to consider these appointments on a roll call. And, Madam President, will you please put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. And the majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Mr. Burzynski. ...Secretary.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of April 17th, 1996, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. With respect to the Governor's Message of April 17th, 1996, I will read the salaried appointment to which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

To be a member of the Chicago Transit Authority for a term ending September 1st, 1997, Susan Leonis of Chicago.

Madam President, having read the salaried appointment, I now seek leave to consider this appointment on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, the question is, does the Senate advise and consent to the nomination just made. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 57 voting Aye, none voting No, none voting Present. And a majority of Senators elected concurring by

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

record vote, the Senate does advise and consent to the nomination just made. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. With respect to the Governor's Message of April 17th, 1996, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

To be the Chairman of the Illinois Community College Board for a term ending June 30th, 2001, Harry Crisp, II of Marion.

To be a member of the East St. Louis Financial Advisory Authority for a term ending August 30th, 1998, Claudia Thomas of East St. Louis.

To be a member of the Illinois Development Finance Authority for a term ending January 20th, 1997, Phillip Rigsby of Cave-in-Rock.

To be a member of the Joliet Regional Port District Board for a term ending June 1st, 1999, Neal Houbolt of Joliet.

To be a member of the Joliet Regional Port District Board for a term ending June 1st, 2001, George Michas of Joliet.

To be a member of the Metropolitan Pier and Exposition Authority for a term ending June 1st, 2000, James Montana of Chicago.

To be the Public Administrator and Public Guardian of Union County for a term ending December 2nd, 1996, George Warren of Anna.

To be the Public Administrator and Public Guardian of Coles County for a term ending December 1st, 1997, Teresa Righter of Mattoon.

To be the Public Administrator and Public Guardian of Jo -- Jo Daviess County for a term ending December 1st, 1997, Kim Roddick of Galena.

To be the Public Administrator and Public Guardian of Gallatin

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

County for a term ending December 7th, 1998, Lawrence Wooden of Shawneetown.

Madam President, having read the unsalaried appointments, I now seek leave to consider these appointments on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, the question is, does the Senate advise and consent to the nominations just made. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, there are 56 voting Aye, none voting Nay, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of May 8th, 1996, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. With respect to the Governor's Message of May 8th, 1996, I will read the salaried appointment to which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

To be the Commissioner of the Office of Banks and Real Estate for a term ending January 31st, 2001, effective June 1st, 1996, Jack Schaffer of Cary.

Madam President, having read the salaried appointment, I now

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

seek leave to consider this appointment on a roll call. And, Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, the voting -- those -- the question is, does the Senate advise and consent to the nomination just made. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Secretary. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. With respect to the Governor's Message of May 8th, 1996, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

To be a member of the Illinois Community College Board for a term ending June 30th, 2001, Ercel Davis of Moline.

To be a member of the East St. Louis Financial Advisory Authority for a term ending August 30th, 1996, Jerome Jackson of East St. Louis.

To be a member of the Havana Regional Port District Board for a term ending June 30th, 1997, Edward Ray of Havana.

To be members of the Illinois Human Resource Investment Council for terms ending July 1st, 1998, Powhatan Collins of Matteson; Dennis Gannon of Orland Park; John Hudson of Springfield; Anne Ladky of Chicago; Mercedes Mora of Chicago; Janet Payne of Westville; John Rico of Chicago; Rogercarol Rogers of Flossmoor.

To be members of the Illinois Human Resource Investment

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Council for terms ending July 1st, 1999, M. Blouke Carus of Peru; Sharon Fischer-Larson of Elgin; Ronald Gidwitz of Chicago; Ginnie Hartman of Mounds; Willie Harris of Chicago; Dennis Keller of Hinsdale; Barbara Oilschlager of Grays Lake; Michael Skarr of Naperville; and R. Craig Whitlock of East Moline.

To be members of the Illinois Human Resource Investment Council for terms ending July 1st, 2001 -- or, 2000, Valerie Colvett of Chicago; Harry Crisp, II of Marion; Robert English of Aurora; Robert Luther of Charleston; Barry MacLean of Mundelein; Roger Pelkey of Rockford; Vincent Serritella of Lombard; Blanche Shoup of Galesburg; James Schultz of Wilmette.

To be a member of the Will County Metropolitan Exposition and Auditorium Authority for a term ending December 1st, 1996, Scott Ward of Wilmington.

To be a member of the Will County Metropolitan Exposition and Auditorium Authority for a term ending December 1st, 1999, James Smith of Joliet.

To be a member of the Illinois Student Assistance Commission for a term ending July 1st, 1997, Ryan Shanks of Chicago.

To be a member of the Student Assistance Commission for a term ending June 30th, the year 2001, John Albin of Newman.

Madam President, having read the unsalaried appointments, I now seek leave to consider these appointments on a roll call. And, Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, the question is, does the Senate advise and consent to the nominations just made. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 57 voting Aye, none voting

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Nay, none voting Present. And the majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of May 14th, 1996, reported the same back with the recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. With respect to the Governor's Message of May 14th, 1996, I will read the salaried appointments to which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

To be members of the Illinois Commerce Commission for terms ending January 19th, 1998, Ruth Kretschmer of Medinah; Karl McDermott of Homer.

To be a member of the Illinois Commerce Commission for a term ending January 18th, 1999, Brent Bohlen of Springfield; and Richard Kolhauser of Springfield.

Madam President, having read the salaried appointments, I now seek leave to consider these appointments on a roll call. Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will.

SENATOR CULLERTON:

Senator, which one of these members is new?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. The new nominee is Mr. Brent Bohlen of Springfield.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

Are you aware -- do you remember who it was that is -- was leaving the Commerce Commission, and -- in other words, who is the person who's leaving that this person is replacing?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you. Mr. -- Senator Cullerton, as you recall, we've recently downsized the Board. There were seven individuals serving. Now there are five. Mr. Bohlen is replacing -- I think there were -- I can't remember exactly who his -- who he is replacing, but one of the three -- Dixon -- William Dickson, Senator.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton.

SENATOR CULLERTON:

In looking at the gentleman's resume, it looks very impressive; a graduate of Harvard Law School. Indicates he's a Democrat, as I understand his political affiliation. He's written tax rules for the Illinois Department of Revenue. He had a contract apparently with the Department of Public Aid in the eighties to be on the Medicaid Advisory Committee, and he developed a book for Cook-Witter that was purchased by Illinois Bell. And I just was wondering if any of these -- if, on the committee, there was any exploration of his relationship, if any,

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

with Illinois Bell, in light of the fact that the Commerce Commission does regulate Ameritech.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Senator, when -- when Mr. Bohlen appeared in front of our committee, there were no questions relative to that relationship. We also had the nominee appear in front of the Energy and Environment Committee, and as far as I know, there was very little, if any, discussion relative to that relationship, as well. He is -- my understanding is, he's not currently under contract to do any of that work.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Cullerton. Any further discussion? Any further discussion? Hearing none, the question is, does the Senate advise and consent to the nominations just made. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 57 voting Yea, none voting Nay, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

Senator Burzynski, Chair of the Committee on Executive Appointments, to which was referred the Treasurer's Messages of March 7th, 1996, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. With respect to the Treasurer's Message of March 7th, 1996, I will read the unsalaried appointment

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

to which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

To be a member of the Personnel Review Board for the Office of the State Treasurer for a term ending February 1st. {sic} (15th), the year 2001 {sic} (2002), E. Lynn Grayson of Long Grove.

Madam President, having read the unsalaried appointment, I now seek leave to consider this appointment on a roll call. And, Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any discussion? Any discussion? Hearing none, the question is, does the Senate advise and consent to the nomination just made. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Mr. Secretary, take the record. On that question, there are 57 voting Aye, none voting Nay, none voting Present. And the majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. With respect to the Treasurer's Message B of March 7th, 1996, I will read the unsalaried appointment to which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

To be a member of the Personnel Review Board for the Office of the State Treasurer for a term ending March 1st, the year 2002, Armando Galvan of Cicero.

Madam President, having read the unsalaried appointment, I now seek leave to consider this appointment on a roll call. And, Madam President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Any discussion? Any discussion? Hearing none, the question is, does the Senate advise and consent to the nomination just made. Those in favor, vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? On that question -- Mr. Secretary, take the record. There are 57 voting Aye, none voting Nay, none voting Present. And a majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Burzynski.

SENATOR BURZYNSKI:

Madam President, I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

You have heard the motion. Those in favor, say Aye. Those opposed, say Nay. The motion carries, in the opinion of the Chair. Senator Walsh, for what purpose do you rise, sir?

SENATOR WALSH:

Thank you, Madam President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

State your point, sir?

SENATOR WALSH:

I'd like to introduce a group of eighth graders that are here from Pershing School in Berwyn, in the gallery right behind me, and that's in my district and we'd like to welcome them to Springfield.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Will you please rise, and welcome, young people, to Springfield, to the Senate. We're happy to have you. At this moment I'm going to yield the Chair to the estimable Senator Watson for a presentation.

SENATOR WATSON:

Yeah. I'd like to call all the softball players up to the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Podium. We would like to make a presentation. As you know, each year we have the softball game and have had since Pete Miller initiated this game, I think in 1945. And the Senate, of course, didn't start winning the game until 1993, and we've been on a pretty good streak ever since. The Regional Commerce and Growth Association out of the St. Louis area, of which, of course, the Metro East area is a part of, sponsors the game, and this particular year we want to thank, also, the Rockford Cubbies. The Rockford Cubbies brought potato chips and hats, and they were a participant in -- in helping sponsor that, and we want to thank Senator Syverson for that. We -- if we would -- Carl, why don't you -- yeah, hand up the trophy, and then... We -- we -- once again, retain the trophy in -- in our side. Fifteen to five was the score of the game and we -- we did quite well. We -- we -- in the past three years, this being the fourth year, we have awarded a Most Valuable Player Award. In the past, I believe the first year we awarded it, it went to Bobby Molaro. He hit, I believe, a grand-slam home run that year, and -- and shortstop, and played extremely well, obviously. The next year we gave it to Carl Hawkinson, who has been our pitcher since he arrived in the Senate, and had several strikeouts, and then Chuy Garcia won it last year for his outstanding play in left -- in left field, and our cleanup hitter. And so this year we -- we thought we ought to give it to a Republican. That's right. So we -- we gave it to Kirk Dillard. Kirk had four hits and drove in several runs, and played flawlessly in the field. And so, Kirk Dillard wins our Most Valuable Player Award for this year.

SENATOR DILLARD:

I just want to tell the Members that Senator Walsh can win this award next year if Senator Clayborne will lend him his shoes.

SENATOR WATSON:

As you know, everybody contributes to this. All -- all

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

fifty-nine Senators contribute ten dollars apiece, and we round it out to six hundred dollars, and each year we -- we select a local charity here in Springfield to -- to make this presentation and give this particular check. Our Senator here, Larry Bomke, is going to make that presentation and I'd like to introduce him at this particular time. Senator Larry Bomke.

SENATOR BOMKE:

Thank you, Senator Watson. I -- I -- it was unfortunate I couldn't be there that evening, not necessarily to -- to see the game, but to hear the play-by-play reporting by Senator Geo-Karis. It's my pleasure to introduce to you Scott Payne, with the Inner City Mission. That's where the money is going this year, and I'll let Scott tell you a little bit about the Inner City Mission.

SCOTT PAYNE:

(Remarks by Scott Payne)

PRESIDING OFFICER: (SENATOR GEO-KARIS)

We certainly congratulate our ballplayers. They were outstanding. And, Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCZ:

Thank you, Madam President. If Senator Watson would remain standing up there, I would just like please -- if Senator Watson would go back by the Presiding Officer, I would like to make an observation for the Members who have not been here as long as I have. When I came down here twelve years ago, Frank Watson was very active with former Senator Kelly in this baseball initiative, and I noticed twelve years ago that Senator Frank Watson had a very, very attractive green blazer, and I just was noticing today that he has that same blazer twelve years later. And I just would like to commend you on your -- your choice of attire, Senator Watson. Yes. The -- the hairline -- the hairline might change, but the coat never does.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Thank you, Senator Dudycz. Pretty soon you'll have to worry about your own hairline. Ladies and Gentlemen of the Senate, we're going to proceed to Supplemental Calendar No. 1, dated Thursday, May 23, 1996. And the first order of business will be a -- the Conference Committee Reports, and it'll be House Bill 545. Senator Watson. Mr. Secretary -- Madam Secretary, do you have on file a conference committee report on House Bill 545?

ACTING SECRETARY HAWKER:

Yes, I do. First Conference Committee Report on House Bill 545.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Would you read the report? Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. The First Conference Committee Report on House Bill 545 deals with the East St. Louis School District and the Oversight Panel and negotiations that have been going on, and I know we've talked about this several times on the Floor. This is the -- the final version. We came out with our first wave of legislation; there was considerable objection. We went back, came back with another one, and now we've come with a third, and I don't think it satisfies all the concerns of the local Board of Education, but I believe it does at least help put this in a perspective in which we can get more local support. It -- what it really does is it creates considerable more powers for the Panel, which is the Oversight Panel, and this only affects the East St. Louis School District, because what it says is that it gives Financial Oversight Panels in districts as a result of the district violating their own financial plan. Well, this is a provision that only affects East St. Louis, and it does provide for these additional powers and duties. It does appoint an Inspector General to investigate allegations of incidents of waste or fraud or financial mismanagement. It gives the Panel approval

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

policy of the staffing plan for the district. It requires the Board to appoint a CPA annually, with approval of the Panel, to audit the Board's financial statements. Now, the Panel must initiate and direct financial management assets {sic} (assessments) of Board operations. The Panel must initiate and direct a financial management audit of the Board at least once every two years. The -- the Panel may take such action in the name of the Board and action shall be binding as if taken by the Board. The Panel must meet with the Board in closed session prior to commencement of a collective bargaining contract to discuss financial issues relevant to that particular contract. The Panel must approve any collective bargaining agreement prior to its taking effect. The budget of the Panel, including any costs associated with the Inspector General, must be approved by the State Superintendent after an opportunity to respond to the -- for a response by the Board. The Board is required to submit to the Panel a plan of action to be followed by the district to maintain long-term financial stability. It makes some changes in regard to the superintendent and the principals in East St. Louis, in regard to their duties and responsibilities regarding the financial and business operations of the -- of the district. And those -- those responsibilities and duties shall be approved by the Panel, in the event that the -- the Board refuses or fails to follow the directive. It also provides that they're not subject to several State provisions. I know that in the eyes of many in -- in East St. Louis, especially the Board, this may be considered punitive, but there's -- there's positions on both sides of this issue in the community. Many people support the effort that's going forth here, and I'd be glad to answer any questions or concerns about this particular Conference Committee Report.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Any further discussion? Senator Clayborne.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

SENATOR CLAYBORNE:

Yes. Thank you, Madam President. I'd first like to make a couple of comments. This came about, I guess, a couple of weeks ago - week and a half ago - and there have been extensive negotiations by both sides, and -- and I'd like to commend the sponsor and -- and Richard Marks {sic} (Mark), who kept the lines of negotiations open. Although this does not reflect something that everybody is enthusiastic about, it does, in my opinion, make a step towards making the East St. Louis School Board of Education responsible for developing a long-term plan for transition, as well as to deal with its financial, its education, and its infrastructure problems. And, again, the Board should be responsible. And it does put some mechanism in there by which, if the Board doesn't do -- carry out their responsibilities, the Oversight Panel has the authority to issue directives and take other actions. This plan also eliminates the no-strike concerns and -- and elective {sic} (collective) bargaining concerns that dealt with the School Board of -- dealt with the teachers' union and the school district. However, there are some things that I -- I would like to ask of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

He indicates that he will yield.

SENATOR CLAYBORNE:

Senator Watson, as -- as it relates to the Inspector General, that will -- the intent of this legislation is that that is a last resort, which will ultimately be decided by the Superintendent of the State Board of Education as to whether or not a Inspector General will be appointed. Is that correct?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

Well, the -- the Inspector General would be independent of the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

School Board and the Panel. And the Inspector General must submit an annual report to the Panel and to the State Board of Education. His -- or, the Inspector General's effort would be to look into the allegations, and unfortunately there seems to be many, of -- of incidents of -- of waste and fraud and -- and mismanagement. And these would be investigated by the Board who are -- and -- who would -- it would be a response that he would be asked to do, if the Board did not.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

And -- and that's a last resort if it is determined by the State Superintendent that the School Board is unable or unwilling to provide or do the investigation?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

I -- excuse me. I believe you are reading from the amendment, and of course that would be, obviously, correct.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

It is also the legislative intent that the School Board would maintain control of the day-to-day operations and the hiring and firing, and basically the Oversight Panel would make sure that the Board is operating within its budget and according to its staffing plan?

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Watson.

SENATOR WATSON:

The Panel, as -- in tradition, have only had oversight in regard to the financial and business operations. What you have

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

alluded to would not necessarily fall under the purview of the authority of the Panel.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Senator Clayborne.

SENATOR CLAYBORNE:

After long discussions and negotiations, I rise in support of this bill, and -- and hope that my colleagues in the Senate will support this bill, as well.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

Thank you. Any further discussion? Hearing none, Senator Watson, to close.

SENATOR WATSON:

Well, I'd just like to thank Senator Clayborne. I know this is not an easy vote for him. This Conference Committee Report did -- was adopted by the House, but without, unfortunately, the support of the -- the State Representative from that area. So I know that this is not an easy position for him. He has negotiated in good faith. I think he understands the needs and concerns of those of us who live in the Metro East area, and the concern that he has for the -- the young people who attend the schools in that area. And I just want to applaud him for -- for his concern and consideration. And I'd ask for approval of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR GEO-KARIS)

The question is, shall the Senate adopt the Conference Committee Report on -- on House Bill 545, with Amendments -- with Senate Amendments 1, 2 and 5. Those in favor, vote Aye. Those opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Madam Secretary, take the record. On that question, there are 57 voting Aye, none voting No, none voting Present, and the Senate does adopt the Conference Committee Report on House Bill 545, and

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

the bill, having received the required constitutional majority, is declared passed.

PRESIDING OFFICER: (SENATOR WATSON)

Supplemental Calendar No. 1. We are at House Bill 2529. Senator Hawkinson, do you wish to proceed with the Conference Committee? Madam Secretary, do you have on file a conference committee report on House Bill 2529?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on House Bill 2529.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. Conference Committee on House Bill 2529 is virtually identical to House Bill 2529 as it was amended and passed out of the Senate 53 to nothing. The House objected to one minor provision involving Lake County in an amendment that Senator Peterson has offered as Senate Amendment No. 2. That amendment is there with a minor modification. The only change that the Conference Committee Report makes in that amendment is that it leaves the standard of -- of how the activity is related to the purposes of the organization exactly the way the existing law is. The amendment had changed it to require that it be directly related to the activities, rather than reasonably. We leave the existing law the way it is with this Conference Committee Report. The Conference Committee is a counties' initiative that comes to us from Peoria County that deals with reimbursement for -- at Medicaid rates for jail inmates after the county has adopted an ordinance or a resolution, and also deals with park districts and pleasure drives being exempt from some zoning requirements. There was initially a controversial provision in there that drew a lot of opposition in regard to regulation of certain utility towers; however, that was removed

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

before we considered it the first time, and it is still out of the bill. Be happy to try and answer any questions. I know of no opposition and would ask for the adoption of the Conference Committee Report No. 1 to House Bill 2529.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

I notice that Lake County Forest Preserve District is involved in this, and of course, I have a concern. And could you answer me, Senator, that it takes a two-thirds vote required of the board in order to issue a license for activities reasonably connected with the district? What was it before? Can you tell me?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hawkinson.

SENATOR HAWKINSON:

It was a majority, and the amendment, as it left the Senate, was "directly" related to. It is still two-thirds, but it is now the "reasonably" related language from existing law.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? Seeing none, the question is, shall the Senate adopt Conference Committee Report on House Bill 2529. 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 57 voting Yes, no voting No, no voting Present. The Senate does adopt the Conference Committee Report on House Bill 2529, and the bill, having received the required constitutional majority, is declared passed. House Bill 3436.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Senator Klemm. Madam Secretary, do you have on file a conference committee report on House Bill 3436?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on House Bill 3436.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 3436, as it came over to the Senate, had a provision that affected school buses and that required all school buses to stop regardless of whether or not schoolchildren are present on board. It also increased the fine for a person who stops a motor vehicle on all railroad tracks, and it also altered the law that school buses are also required to stop on {sic} (at) all railroad track crossings. There were five amendments that were added. The House did refuse to recede from -- or, wanted to recede from Amendment No. 4, but in the Conference Committee we put it back in, and let me briefly explain what the amendments are. Amendment No. 1 was suggested by IDOT and required all school buses to stop at railroad crossings even if they're used in charter service, and -- and are being used for schoolchildren. Amendment No. 2 was suggested by IDOT and would allow mechanics to conduct part of the school pretrip inspection. That's something where they can look at the fan belts and parts of the engine and everything that the bus driver must certify to, because these people are -- the mechanics are far more qualified to do so than the bus driver, and the bus drivers' association also supports and recommended passage of that amendment. Amendment No. 3 was suggested by IDOT, and it deals with vehicle widths of obsolete language on created national highway systems on widths that there are no buses made and used in Illinois, so we tried to strip that out of the language that was obsolete. No. 4 attempted to close a

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

loophole in running -- or, for pedestrians crossing railroad tracks as a train approaches a train station. The law did not say it was prohibited to run across a train -- in front of a moving train if it was leaving a train -- train stations, and we have some cases in courts where the circuit court was throwing out those citations because the train was not approaching and was leaving. So we corrected that in Amendment No. 4. Amendment No. 5 was one that we agreed in Transportation Committee, is by the Township Officials organization, exempting Commercial Driver's License Act for very small townships, I think of three thousand residents, for emergency service, where they are using for snowplow and that, to have their drug testing and alcohol testing requirements. Two new items were added by the conference committee. One was the Local Government Debt Reform Act to clarify that fire prevention districts are included in the Act, which we did feel was already included, but they wanted to be sure it was. We included that. And the last item was requested by State Farm and Allstate Insurance. It was an attempt to assure that persons able to receive a payment of an uninsured claim, that it would be received promptly. And I ask for your support.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Seeing none, the question is, shall the Senate adopt Conference Committee Report on House Bill 3436. 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 57 voting Yes, no voting No, no voting Present. The Senate does adopt the Conference Committee Report on House Bill 3436, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1465. Senator Dillard? Madam Secretary, do you have on file a conference committee report on Senate Bill 1465?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 1465.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This Conference Committee Report contains about four provisions. The first one passed out of here unanimously about a month ago and allows the Court of Claims to accept monetary gifts or grants, particularly from the federal government, and we added in the Conference Committee Report that, of course, that money is subject to the appropriations process. There's a portion dealing with the Illinois Police Training Act to authorize the Police Training Board to further extend training programs to the clerks of circuit courts. There's an amendment to the Illinois State Auditing Act which directs the Auditor General, Bill Holland, to conduct compliance audits regarding the number of minorities, women and disabled persons employed by individual State agencies. And finally, a new provision, which went through the committee this morning, authorizes the Secretary of State, like we have for the Department of Revenue and the Department of Insurance, to promulgate rules for the acceptance of electronic filing or facsimile filing of any documents. So those five provisions are in it. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Are there any questions? Any discussion? Seeing none, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1465. 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 57 voting Yes, no voting No, no voting Present. The -- the Senate does adopt the Conference Committee

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Report on Senate Bill 1465, and the bill, having received the required constitutional majority, is declared passed. On this same order of business on the regular Calendar, page 7, right in the middle of the page there, is a Conference Committee Report on House Bill 3157. Same order of business. Senator Weaver would like to call that Conference Committee Report. Madam Secretary, do you have on file a conference committee report on House Bill 3157?

ACTING SECRETARY HAWKER:

I do. First Conference Committee Report on House Bill 3157.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. House Bill 3157 repeals thirty-nine Acts that are deemed to be unnecessary. This is a portion of the bills under scrutiny. I think the Audit Commission has a list and this is a further list that I would like to act on today.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? The question is, shall the Senate adopt the Conference Committee Report on House Bill 3157. 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 57 voting Yes, no voting No, no voting Present. The Senate does adopt the Conference Committee Report on House Bill 3157, and the bill, having received the required constitutional majority, is declared passed. The intention of the Chair is now to move on the regular Calendar of Thursday, May 23rd - my daughter's birthday. That's right. Bottom of May {sic} 6. Happy Birthday, Kami. September -- or, I beg your pardon -- Secretary's Desk, Non-concurrence, House Bills. Right at the bottom is House Bill No. 22. Out of the record. House Bill 1249.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Senator Petka? There is a motion on file. Senator Petka, on House Bill 1249. Madam Secretary, would you please read the motion?

ACTING SECRETARY HAWKER:

I move to refuse to recede from Senate Amendments 1 and 8 to House Bill 1249, and request that a conference committee be appointed.

Offered by Senator Petka.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Petka.

SENATOR PETKA:

Thank you very much, Mr. President, Members of the Senate. The motion does speak for itself, and I would ask that we refuse to recede from those Senate amendments.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Seeing none, Senator Petka moves that the Senate refuse to recede from the adoption of Senate Amendments 1 and 8 from House Bill 1249 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries and the Secretary shall so inform the House. ...stand at ease for a few minutes, and we hope to have an announcement as to possibly how long so that the Members can make lunch plans or checking out of their hotels. Right. And so we -- we hope we'll have an announcement on that in just a few moments. But we're going to stand at ease at this particular point in time until the call of the Chair. Senator Weaver, for what purpose do you rise?

SENATOR WEAVER:

There'll be a Rules Committee meeting in about ten minutes in the Anteroom.

PRESIDING OFFICER: (SENATOR WATSON)

Rules Committee meeting in about ten minutes in the Anteroom.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

For the rest of the Members, our intention is to stand at ease. Rules Committee will meet. Once the Rules Committee decides on what bills come out, there will be a schedule of committee hearings this afternoon and then we will -- the intention is to come in around 3 o'clock or whenever the committee function is completed. So, try to give you an update as to where we're at. So we will be at ease to the call of the Chair, hopefully somewhere around 3 -- 3 o'clock, or shortly after the committees complete their -- their business. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, thank you very much for that update. Could you also indicate -- some Members want to know whether or not they should plan to stay another day, and -- in getting their rooms, or...

PRESIDING OFFICER: (SENATOR WATSON)

We were -- we're doing all we can for the economic well-being of Springfield, and we will probably be here another day. I would not check out at this point in time.

SENATOR DEMUZIO:

So...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Demuzio.

SENATOR DEMUZIO:

So we'll advise them to get their helmet on, get in the foxhole and come back at 3 o'clock and...

PRESIDING OFFICER: (SENATOR WATSON)

We will stand at ease to -- to the call of the Chair.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

PRESIDING OFFICER: (SENATOR DUDYCZ)

...will come to order. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Education - Conference Committee Report 1 to Senate Bill 1122; to the Committee on Executive - House Joint Resolution 133; re-referred from the Executive Committee to the Rules Committee - Senate Resolution 212, Senate Joint Resolution 108, and House Joint Resolution 126; referred to the Committee on Judiciary - Conference Committee Report 1 to Senate Bill 1912, Conference Committee Report 1 to House Bill 3448; referred to the Committee on Local Government and Elections - Conference Committee Report 1 to House Bill 2421; and Be Approved for Consideration - Senate Resolution 212, Senate Joint Resolution 108, House Joint Resolution 126, Conference Committee Report 1 to Senate Bill 1414, Conference Committee Report 1 to House Bill 3451, Conference Committee Report 1 to House Bill 3670, and the Motion to Concur with House Amendment 2 to Senate Bill 1019.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Senate will stand at ease subject to the call of the Chair.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

...will come to order. If we could ask all Members to come to the Floor as soon as possible, please. Committee Reports.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

SECRETARY HARRY:

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bill 1912, the First Conference Committee Report Be Approved for Consideration; House Bill 3448, the First Conference Committee Report Be Approved for Consideration.

Senator Klemm, Chair of the Committee on Local Government and Elections, reports the First Conference Committee Report on House Bill 2421 Be Approved for Consideration.

And Senator Cronin, Chair of the Committee on Education, reports Senate Bill 1122, the First Conference Committee Report Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

...Secretary, have there been any motions filed?

SECRETARY HARRY:

Yes, Madam President. Senator Demuzio has filed motions with respect to House Bills 322 and 2524.

PRESIDING OFFICER: (SENATOR DONAHUE)

Mr. Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. Resolutions.

SECRETARY HARRY:

Senate Resolution 230, offered by Senator Bomke. It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. McLennand, Clerk.

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

House Joint Resolution 81.

It's substantive. Adopted by the House, May 22nd, 1996.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Message from the House by Mr. McLennand, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendments 2 and 3 to a bill of the following title, to wit:

Senate Bill 350.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

We have a like Message on Senate Bill 1490, with Amendments 1 and 2 {sic} (4).

PRESIDING OFFICER: (SENATOR DONAHUE)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Is leave granted? Leave is granted. I would request that all Members come to the Floor immediately. Page 2 of Supplemental Calendar No. 2, under the Order of Secretary's Desk, Concurrence, is Senate Bill 1019. Senator Cronin. Mr. Secretary.

SECRETARY HARRY:

I move to concur with the House in the adoption of their amendment, Amendment No. 2, to Senate Bill 1019.

The motion offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam -- or, Madam President, Ladies and Gentlemen. I move to concur in the Amendment No. 2 put on in the House, and this amendment does a number of things I'd be happy to discuss.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you. This amendment contains language and provisions that came to us at the suggestion and the urging of the Chicago Board of Education. It has a number of provisions that I think

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

both sides find noncontroversial and very important to the management objectives of the -- of the management team - the well-known, well-admired management team. Number one, it seeks to allow the creation of alternative schools in the Chicago system. Number two, it requires the Board to have a balanced budget and allow -- and allow a budget surplus. Number three, it prohibits the hiring of dismissed employees as principals. Number four, with regard to speech pathologist certification, it allows the use of speech pathologists who hold a master's degree but not a State Board of Education certificate. I need to explain some specific legislative intent with respect to that point. On page 6 of House Amendment 2, there is language allowing the Chicago public schools to hire speech/language pathologists who possess a master's degree but are not certified under the School Code if there is a shortage of certified speech/language pathologists. For purposes of legislative intent, I, as the chief sponsor, and the legislative intent is in reference -- we are -- we are referring in this amendment to a master's degree in speech/language pathology, as opposed to another area of study. Chicago Board of Education has stated that it intends to hire only State-licensed speech/language pathologists that are not certified to alleviate this shortage of personnel. That is the General Assembly's intent with the adoption of this amendment with respect to that provision. There's also a provision in this bill that allows the -- for a greater latitude with respect to the investment of the Chicago Teachers' Union Pension Fund. It permits the investments to be made in accordance with the prudent person rule, or the prudent person pension language. And finally, there's a provision in the bill that permits the Board to -- that the Board may establish or impose additional academic, educational, examination, or experience requirements or criteria in addition to those established and required by Article 21 for issuance of a valid

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

certificate endorsed for the position of principal as a condition of the nomination, selection, appointment, employment, or continued employment of a person or -- as principal, and so forth. That's the sum and substance of the amendment. I believe it has bipartisan support. I ask for your favorable consideration. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

State Journal-Register has asked leave of the Body to -- for permission to -- to photograph. Is leave granted? Leave is granted. Senator Berman.

SENATOR BERMAN:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Berman.

SENATOR BERMAN:

Is the Chicago Board administration's request for a September 1 fiscal year included in this?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

Thank you. I would suggest that all of these items are a request of the Chicago administration -- Chicago Public School administration and I stand in support of the bill. There is the one item that I've mentioned that probably should have been in there. I still don't understand why it's not, but I solicit an Aye vote in support of this bill and compliment Senator Cronin for his efforts on behalf of the Chicago public school system.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Is there any further discussion? Further discussion? Seeing none, Senator Cronin, to close.

SENATOR CRONIN:

Thank you for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

This is final action. And the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1019. 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 55 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1019, and having received the required constitutional majority, is declared passed. Senator Fitzgerald, for what purpose do you rise?

SENATOR FITZGERALD:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR FITZGERALD:

Thank you. Madam President, Ladies and Gentlemen of the Senate, I have visiting here today, I think thirty-five to forty, students from my district from the Elizabeth Blackwell School in Schaumburg, led by their Principal Dr. Lucier, and several of the teachers. I'd appreciate it if the Senate would give them a warm welcome. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Would you rise and be recognized by the Senate? Welcome to Springfield. Further down on Supplemental Calendar No. 2 is Conference Committee Reports. On that Order is Conference Committee Report on House Bill 2421. Senator Peterson. Mr. Secretary, do you have a conference committee report on file for House Bill 2421?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

SECRETARY HARRY:

Yes, Madam President. The First Conference Committee Report on House Bill 2421.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President, Members of the Senate. House Bill -- Conference Committee Report No. 1 on House Bill 2421 encompasses many housekeeping changes to the Election Code. The bill that went over to the House basically stayed intact, and that was voted on by a 56 to nothing vote. They added some absentee voter provisions and some clean-up language on guardrails around voting booths. The proponents of this bill are State Board of Election, the Association of County Clerks, Cook County State's Attorney's Office and the IVIPO, and I ask for your concurrence on House Bill 2421, or your approval.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there -- is there any discussion? Senator Trotter.

SENATOR TROTTER:

Okay. Thank you very much. As the Minority Spokesperson on Local Government, there was a lot of discussion on this bill. The sponsor and a lot of the Members have worked hard in making this a good bill and they've succeeded in doing so, and I just ask everyone to vote Aye with us.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Klemm.

SENATOR KLEMM:

Well, thank you, Madam President. I just want to thank Senator Trotter for helping us on the original bill, on Senate Bill 1288, which encompassed the absentee ballot, and thank you, again.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Is there further discussion? Further discussion? Senator Peterson, to close.

SENATOR PETERSON:

Just ask for an affirmative vote on the Conference Committee Report on House Bill 2421.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 2421. 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 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 2421, and the bill, having received the required constitutional majority, is declared passed. Senator Petka, on House Bill 3448. Mr. Secretary, do you have a file of -- a file on Conference Committee Report, House Bill 3448?

SECRETARY HARRY:

Yes, Madam President. The First Conference Committee Report on House Bill 3448.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Thank you, Madam President, Members of the Senate. Conference Committee Report that has been filed in connection with House Bill 3448 incorporates some of the recommendations of the Governor's Commission on Gangs and Violence in the State of Illinois. The Report consists of three parts. The major innovation is a program dealing with gang witness protection, where victims and witnesses of crimes will be reimbursed for expenses and counties will be reimbursed for relocation of witnesses and victims of crimes. Additionally, we have an enhanced penalty for streetgang criminal drug conspiracy, and last, we have a mandatory reporting program

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

where firearms are found on and about a school. That's the essence of the Conference Committee Report. If there are any questions, Madam President, I would certainly answer those. If not, I urge adoption of the Report.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall the Senate adopt Conference Committee Report on House Bill 3448. 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 56 Ayes, no Nays, none voting Present. The Senate does adopt Conference Committee Report on House Bill 3448, and the bill, having received the required constitutional majority, is declared passed. Senator Bomke, on House Bill 3451. Mr. Secretary, do you have on file a conference committee report on House Bill 3451?

SECRETARY HARRY:

Yes, Madam President. The First Conference Committee Report on House Bill 3451.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill is not unlike the bill that we voted on overwhelmingly about a month ago. The bill, as amended, requires a co-payment from prisoners who seek nonemergency medical treatment outside of the facility; prohibits prisoners from possessing pornographic material; deletes Department of Correction requirements to provide postage stamps to inmates; requires inmates to reimburse Department of Corrections for the costs of their postsecondary education; requires Public Aid to enter into intergovernmental agreements with counties to exchange information

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

to assure that ineligible offenders do not remain on public assistance, and I will entertain any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 3451 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 -- 54 Ayes, no Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on House Bill 3451, and having received the required constitutional majority, is declared passed. Senator Fitzgerald, on House Bill 3670. Mr. Secretary, do you have on file a conference committee report on House Bill 3670?

SECRETARY HARRY:

First Conference Committee Report on House Bill 3670.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Conference Committee to House Bill 3670 contains all the provisions of the Child Sex Offender Notification Law, which we passed last week, except it has one additional change: It would have similar notification provisions in the case of someone who has been a child murderer. Someone over eighteen murders somebody under eighteen, if they are released from jail and go back into the community, the notification provisions that would apply to child sex offenders would also apply to those individuals. So that's the only change to the language that we passed last week by a 53 to nothing vote, and I'd urge a favorable roll call on this bill, as well.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

none, the question is, shall the Senate adopt the Conference Committee Report on House Bill 3670. 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 56 Ayes, no Nays, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 3670, and having received the required constitutional majority, is declared passed. Senator Klemm, on Senate Bill 1122. No. Yes. Excuse me. Senator Klemm, on 1122? Senator Klemm. Mr. Secretary, do you have on file a conference committee report on Senate Bill 1122?

SECRETARY HARRY:

Yes, Madam President. It's the First Conference Committee Report on Senate Bill 1122.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Conference Committee Report No. 1 on Senate Bill 1122 becomes the entire bill, and what it does is specifically state, as a condition of nomination for a General Assembly scholarship, that each nominee would provide a waiver of confidentiality. This confidentiality waiver would be sent with the nominee's application to the various universities that you're awarding the scholarship to, as part of the condition of that award. It also gives that waiver of confidentiality that some people felt they needed in order to publish and have their names reported. As a minimum, the name of the recipient and the name of the Member of the General Assembly is required. We do ask that the Illinois Student Assistance Commission prepare that waiver form so that it would be standardized and that we would be able to have the consistency. This bill had been reported before. We talked about

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

it in committee, and it came out of committee on an attendance roll call vote, and I'll be -- answer any questions that you may have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Madam Chair and Members of the Senate. I'm going to support this -- this Conference Committee, but it really -- this is a good example of our attempt to solve a problem and just complicating simplicity. I think that's what this thing boils down to. I think there's no one that's interested out there that -- that I know that have shown any real interest in having this information, except the press. Now, I have always informed my office if -- if the press requested a list or printout of those persons receiving scholarships in my district, and if they -- if they do have it, they know more than I know, because I don't know who receives them in my district. The -- the problem I have with this is that by trying to solve this problem by mandating that the individual sign this waiver, which they may feel infringes upon their confidential rights, limits, in -- in a way, the -- the ability to us to give the scholarships to those students who probably deserve it the most, simply because they are not willing to waive their rights. Because we could have solved this problem simply by allowing the press, as I do, to request a copy of -- of the -- of the printout, and if they are doing an investigation, whether it's at random or whether they have identified some legislator specifically, to look to see to get the data that they need to -- to validate whatever story that they're writing about. That's simple. Then we would not have put the students on the spot. There are a lot of people in our districts, I know that -- that we do, the committee, are people who -- who are adults and who are now going back to school, because they didn't have an

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

opportunity or couldn't afford to go back to school because they -- they dropped out to raise their families and may not necessarily want their names printed out there, or sign a waiver giving away their rights for everybody to know. They could get the information - the press - from us. They can do their story without even having to print the names of the students in the paper. They just simply say, "Earlean Collins gave scholarships to her son or -- or to her daughter, or to whoever, to her political friends." The data would be there. So why do we have to put the people on the spot to solve a very simple problem? I think this is silly, but if it's going to put this issue to rest once and for all, I'll even vote for it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. I wanted to -- will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shaw.

SENATOR SHAW:

Senator Klemm, is the university -- would you tell us if the waivers that the various universities give in this State, are they included in this bill, and if not, why?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

This bill only applies to the General Assembly scholarships. I don't know what the university does on other awards that they give, but I might add - and this -- Senator Collins may be interested in this - that the university does require a waiver signed when they -- when they issue athletic awards and athletic scholarships. So, I mean, many of the students that go to the

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

universities are already maybe doing this, and they're not opposed to giving their name and address and a lot of other information. So I think it's not an uncommon practice.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

It's -- it's my understanding that the universities give out about a hundred and seven million dollars in -- in waivers and what we are talking about here is four million. Don't you feel as though that the universities in this State should be accountable, as well as the General Assembly? I'm not opposed to your bill, but don't you feel as though that they should be accountable as -- same as the General Assembly?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well, I think any expenditure of taxpayer dollars in the public realm, sure, is public information. I have no problem with -- with telling everything that happens in government. After all, we're just the watchdogs, if you will, over government. The government belongs to the people, and we have every right to tell them how we spend their money, good or bad. So I have no problem with your proposal, if you wish to present one, that the university would have to tell everything they know.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- Senator Shaw.

SENATOR SHAW:

Are you aware that the university waivers, they can give that to any member of their family if they so desire?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

No -- no, I'm not totally familiar with all the waivers that the university can give on other applicants, anymore than I know what the procedure is for congressional awards to the military academies. I -- I don't know what they're doing. All I'm really addressing, at this point, is the General Assembly scholarships.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

To -- to the bill: Certainly, I think that there should be public records, but I don't think that we went far enough in terms of including the -- if you're talking about a hundred and seven million dollars in waivers, I think those people should be subjected to the same type of legislation, and I would like to see this. And I know this is final action here, I believe, and -- but those people should have been included in this bill. A hundred and seven million dollars is just not peanuts, and -- and certainly some of those same people are hollering about those of us who have the -- who give away these scholarships here and -- but, yet, they don't want to conform to the same rule of thumb that they want us to conform to. I don't have any problem with it, but, Senator Klemm, I would urge you and your side of the aisle, whoever drafted this legislation, to draft a bill. And I would vote for that type of legislation. I think any Member of the General Assembly here would vote for that. Let's see what -- who all are they giving scholarships to and who their friends are that they're giving these scholarships to. They're always willing to point the finger at us, and we give it to poor people in our districts. Some -- many of those people would not be able to attend colleges and universities in this State if it wasn't for that General Assembly scholarship. Let's see if they're doing the same thing. Let's see if the wealthy is giving their children scholarships, and I look forward to a bill in the future of making

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

sure that the university waivers is identified as to who they are giving their waivers to.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

I just want to follow up on what Senator Shaw said. He kind of took my speech away. I'm deeply concerned that we are here talking about a few scholarships for legislators, but we continue to let the universities off the hook. I think this bill ought to be pulled back, and we ought to add the universities and require that they tell us who they're giving all their scholarships to, 'cause it's a much bigger dollar expense. Senator, do you -- would you be opposed to pulling this back and adding the universities to that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well, Senator Syverson, you know, at this late date it would be impossible to pull the bill back and have enough time to do it, but certainly I have no problem with joining with you and the distinguished Senator on the other side of the aisle to look at the awards that others give. You are absolutely correct, in that awards that are given with public funds, I have no problem with the scrutiny of -- of opening it up and letting some sunshine in. In the meantime, we are debating the bill on the General Assembly scholarships. I think it stands on its own merit. I think it's been supported by -- by both sides of the aisle and both sides of the Rotunda, and I would just ask for your support to continue this movement of open disclosure.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shadid.

SENATOR SHADID:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Will -- will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shadid.

SENATOR SHADID:

Senator Klemm, when does this take effect?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

I'm sorry. Could you repeat the question? I was distracted for a moment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

When is this effective?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

On page 4 of the Conference Committee Report, it becomes effective upon becoming law.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shadid.

SENATOR SHADID:

Thank you. I just want you to know that I am going to support this. 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 just a couple quick questions?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

SENATOR JACOBS:

Along the same line as Senator Shadid just mentioned, Senator. This does have an effective date. So does that mean that those current legislative scholarships, that those names are also then public information?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

The awards that you've given out now would probably not qualify, or not have to be notified, but it would be after the effective date. Any that you do award after that effective date of the law would have to have the waiver.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

So if I have a -- a scholarship that I have given to a student the last three years and they are eligible for the fourth year, are we then to say that this person now becomes eligible, that this is considered a new application?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well, as you know, the Member of the General Assembly has a number of options to give their award. The award could be a one four-year award, and if you did that prior to the effective date of this -- this bill, it would be my opinion that you would not have to do that each year. If, in fact, though, you had given a one-year award and that award period had terminated after the effective date and you wish to initiate another award to that person, you would have to follow current statutes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

SENATOR JACOBS:

There -- there are many of us, Senator, who give a four-year scholarship on a one-year basis to ensure that that student does well each year before you go into the -- the -- each additional year. So that, as I assume by your remarks, would be handled differently than if one had a full four-year ride? Let me -- let me just close by just one more question. It's my understanding part of the reason we have not given the names in the past is that the federal government has indicated and has made rulings that this information is not public information. Therefore, is it your contention that to -- that this waiver can supersede that provision?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well, actually, I'm not aware of any such ruling or determination by the federal government. But it has been used as a reason or an excuse, if you will, of why names are not given. This would certainly clarify that that reason, if it is valid, is no longer apropos, because this would be a waiver, and therefore those rights would be given, just as if, I mentioned before, the University of Illinois grants and requests a waiver from a student who gets an athletic scholarship. And you know they have served and helped many young people get careers. They have no hesitation of signing those waivers. They do it as a university. But then we are not issuing out federal funds, so I don't even think it applies to us. And I've been doing it for fifteen years, and I think most of you, as I look around the room, having been doing it openly and have had committees and have had no problems. So it's really -- I'm really sorry we even are at this point of having to do it, but, apparently, this will meet some of the concerns of the taxpayers that we are at least doing it properly.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

I -- I misspoke. There is no federal ruling. There is a federal statute - the Privacy Act - which prohibits this, and that -- that really is my question. Are we in conflict then with federal law, and actually will this withhold the test of time?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

No.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR O'MALLEY:

A point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR O'MALLEY:

I would like to welcome to Springfield the Junior High Class from Independence in Palos Heights, who is up in the gallery over here behind the Democrats. And would you please rise and be recognized?

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome to Springfield. Further discussion? Senator Dunn.

SENATOR DUNN:

Thank you, Madam President. Senator Klemm, I guess -- I guess this bill reflects some frustration on the part of many of us, but Senator Shaw was exactly correct: Last year -- in fiscal year '94 there were a hundred and seven million dollars worth of waivers given out in the State of Illinois. And I guess what bothers me is that -- that it's almost like the assault ban that we debated here a couple years ago, wherein assault weapons were being blamed

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

for -- for deaths, and of course, assault weapons were only used in one or two percent of those deaths. The greater problem really was in handguns, which comprised about ninety-six percent of the problem. And here we are, in your bill, addressing four percent or less of the problem, and we're not addressing the other ninety-six percent of the problem. And I want to know why we're not addressing the ninety-six percent of the problem and only the four percent.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well, I -- four percent is better than nothing, I guess. So, therefore, this bill is still worthy of all your support. And I wasn't aware of a hundred and some million dollars were going out with scholarships in universities. I don't serve on that committee. This bill came with ethics, and this is one of the bills that we were concerned about in our Local Government and Elections Committee about it, with a series of other initiatives that we had on good government. I don't think this changes one iota what others are doing, but I do agree with you, Senator Shaw, Senator Syverson, that maybe we should request some other additional information and disclosure. I have no problem with what you're saying. I would welcome your support, and I would support your endeavors on that. In the meantime, I think this issue stands on its own, and I would ask for your support on it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dunn.

SENATOR DUNN:

It may -- it may stand on its own, but it's awful light. It's about ninety-six percent light, as a matter of fact. Because when you look at -- at the -- the waivers, you look at graduate assistance for sixty-six million dollars. When you look at

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

out-of-state students, it's 3.3 million dollars. When you look at athletic scholarships it's 3.2; academic, 4.5. You know, all we're asking is that you make it an even ethical playing field for everybody, in other words, the other ninety-six percent, not just the four percent.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Madam President, Members of the Senate. Well, I -- I certainly stand in support of this. I think most of you realize that a couple of years ago I introduced a bill that would have eliminated General Assembly scholarships. The tuition waivers - yes, they are near a hundred million dollars now in total waivers. All the way from grad students to athletic scholarships to foreign students. But the General Assembly - now, how do you even take a look at waivers other than if we eliminate ours? And this is a small step in being able to do that. I cannot, for the life of me, -- you know what started me taking a look at these scholarship waivers by the General Assembly? Many of you were here fifteen years ago, over in the House of Representatives, when a State Representative gave a scholarship to a dog and it was accepted at a school. That is ridiculous. I can tell you from personal experience, I don't think I'm smart enough to determine who should have those scholarships. I don't think we ought to be in that business, but at least if we can support this kind of thing, it's a step in the right direction. I just don't think the General Assembly should even be in -- in the picture of awarding scholarships. You know how many states are left that actually do this? Only about three. Most of them - I think the last being Virginia or Louisiana - eliminated these. Let's -- let's at least hold our heads up and be proud that -- that we have made a step in the right direction towards eventual elimination of what --

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

whether it's media people sitting over here or whatever are accusing us that these are perks. And I'm telling you, Ladies and Gentlemen, the -- the average citizen, and particularly in my district what I call "bib-overall" people, are totally opposed to this kind of thing, and I urge support for Senator Klemm's Conference Committee Report. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jones.

END OF TAPE

TAPE 3

SENATOR JONES:

Thank you, Madam President. I hadn't planned to speak on this because I believe Senator Shaw and Senator Dunn and a few others spoke my mind on this issue, but the previous speaker prompted me to have a few words to say. Maybe he doesn't feel that he's qualified to award some deserving student in his district, but I think I am equally qualified to aide a -- a student who falls between the cracks where they do not qualify and help that student get a scholarship so that student can go on to college. I think I'm equally qualified to the -- the faculty and the administrators who give about four million dollars annually away on tuition waivers, or the -- the support staff, and some of those professors making ninety -- ninety thousand dollars a year, a hundred thousand dollars a year, and yet and still, they send their kids to school free - all the support staff who send their kids to school free. So if you're -- if you're talking about -- this scholarship is the only equitable scholarship given in the State

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

because it is distributed to each of the fifty-nine Senatorial districts equally across the State of Illinois. I don't mind the disclosure, but I'll be darned if I'm going to sit here and attack a student in my district, at the same time when we have the universities giving out millions of dollars to students who don't even live in Illinois - and many of them are foreign students - and I got students in my area who need to go to college. So I'm not going to stand here and attack these scholarships. If you want disclosure, let them disclose that seventy-one million dollars - I'm quite certain it's higher than that now - for the graduate and assistantships. Well, who in the heck are these people? But don't attack the students in our -- in your area and the residents of your area, talking about you're not worthy. I think I'm worthy enough to know that when the student needs help, I'm going to try and help him. So -- so, therefore, Senator Klemm, in the best interests of the Body, in the best interests that we'll be here another day or two, it will be wise if you were to not adopt this Conference Committee Report and that -- request a Second Conference Committee Report, and let's include all those free tuition waivers in there, because I'd like to know where in the heck they're going. And this can be easily done. We've got the time to do it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, much as I love my colleague on this side, I disagree with him because I think the legislative scholarships have served a very good purpose. The fact that Senator Klemm has a provision in there to disclose who the nominees are once we have their okay by their waiver doesn't bother me. I screen all of my applicants. I don't leave it to committees. I take the responsibility. And I've

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

helped people who have had cancer, and one of the parents, a father out of work, the child wanted to go to school and limited in resources. I've had to help children of single parents, who didn't have the means but had the desire to go to school and do something with their lives in a progressive, constructive fashion. I do not want to see the scholarships abolished. And I think the press has been a little bit unfair with us. As a matter of fact, today I sent a letter to the newspapers in my county, my area, explaining how I feel about them. And I think when you know that there are about a hundred and fourteen million dollars that are given in tuition waivers for all other reasons and our scholarships cost only about four and a half million dollars, I don't think it's fair to just pick on the legislative scholarships and make something out of them. Because maybe one or two people may have abused the privilege, doesn't mean the rest of us have abused the privilege. Because as long as we have that privilege, we can help some youngster look forward to a better life - I think that's the name of the game. And I certainly am for the scholarships; however, I have no objection to giving the names of the applicants, as long as they waive their right to be silent about it, and therefore I'll support Senator Klemm's bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR HENDON:

Senator Klemm, if the student refuses to waive their right to privacy, would they then be ineligible to receive the scholarship?

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Senator Klemm.

SENATOR KLEMM:

Yes. As a condition of that award, you would have to submit that waiver request in there.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Well, I know for certain that you are doing what you feel is best in order to keep the scholarship program going, and I commend you for that. I, too, rise in support of the scholarship program, even though that is not what we're really discussing today, but I just want to let many of you know that some of us who represent poor districts have children who will simply not be able to go to school if it was not for these scholarships. So, you know, I also would like to say I wish that your bill went further and just punished those who abused the system and maybe take away their right to give the scholarships, and I would rather see that somewhere down the line, Senator Woodyard, where we punish those who violate the -- the standards and -- and the rules, as far as giving out these scholarships, instead of eliminating them. With -- without having that available right now, I intend to vote for this simply because I know Senator Klemm is trying to keep the program alive.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, Senator Klemm, to close.

SENATOR KLEMM:

Well, thank you, Madam President. You know, I think letting sunshine in and opening government up to scrutiny is probably the safest safeguard we have for our taxpayers. I don't hear too many complaints about academic waivers of -- for scholarship awards, but I do hear it in the paper and letters to the editor constantly

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

about the perks that the General Assembly Members have. Perhaps if we had everybody disclose, as most of us do, we wouldn't have a problem, but I was over at the time in the House when Senator Woodyard and I were shocked when we had a legislator award to a dog. I remember those days 'cause I was there, and many of you were there, too. That's wrong. And to protect that practice is wrong. This is a minimum requirement. You can give more if you wish, and many of us will continue to do it. I think it's an opening up of what we're giving of taxpayers' assistance to people. In my district, people are proud of it. We have award nights. We have their pictures in the paper. We don't make it something backroom. We don't make it sneaky. We make it an honor. I'd like you to join me to continue making it an honor. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall the Senate adopt the Conference Committee Report on House {sic} Bill 1122. 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 53 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill -- on Senate Bill 1122, and the bill, having received the required constitutional majority, is declared passed. Senator Woodyard, for what purpose do you rise?

SENATOR WOODYARD:

Thank you, Madam President. For the purpose of an announcement. It's my understanding Senator Madigan is not with us again today due to illness, and I'd like the record to reflect that.

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will so reflect. Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

A point of -- of order. I'm sorry that I was -- distracted, and I was intending to vote Aye on the last bill, and I -- by the time I pushed my switch, the voter had been locked out. So I would have -- I would like the record to show that I would have voted Aye.

PRESIDING OFFICER: (SENATOR DONAHUE)

Transcript will so record that. Senator Geo-Karis, on Senate Bill 1414. Mr. Secretary, do you have on file a conference committee report on Senate Bill 1414?

SECRETARY HARRY:

Yes, Madam President. The First Conference Committee Report on Senate Bill 1414.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President and Ladies and Gentlemen of the Senate, the Conference Committee Report put the bill in the same position that it was when it left the Senate, and it left the Senate with a big vote and I would like to ask for a favorable vote now. We're asking that the bingo prizes for Lake County be expanded about -- up to five hundred dollars each because Lake County -- the people who need it are the veterans' organizations - the VFW, and the Legion organizations, and they have competition from Wisconsin and it's not easy for them to keep going. So I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any question? Is there any question -- any...
Senator Shaw.

SENATOR SHAW:

Yeah. Thank you, Madam President. I just wanted to ask the sponsor a couple of questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Indicates she'll yield, Senator Shaw.

SENATOR SHAW:

Senator Geo-Karis, I -- I was under the impression that this bill was going to be statewide, and I understand that there was an amendment put on in the House to -- to bring it back just where it applies to Lake County. And it -- does it just apply to Lake County?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

When the bill left the House, Senator, they made it statewide, but I couldn't get it out of our committee here, being -- putting it statewide, so I put it back to the position where it was when it left the Senate. And I don't know whether you know this or not: There have been exceptions for Madison County, St. Clair County, Monroe County and City of Red Bud. But we don't have any exceptions on the north end, so I do ask for a favorable vote in your consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

I just wanted to point out that my district is -- abuts Indiana, and certainly this bill would have helped the people in my district as well, and certainly I would have enjoyed seeing the whole State as a part of this bill, and particularly Cook County. But as a result -- I was on this bill. I asked you to -- to get on this bill, but since it no longer affects Cook County or my district, certainly I have to withdraw my name from the -- from the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates she'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator Geo-Karis, I think what you're doing for your district is -- is great. I just want to know: Does this also have the competitive issue in there of riverboat gaming dockside on the Mississippi River, which is also a competitive issue?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

No, sir, I don't.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Shucks! I thought that you might have put that in there and I didn't know about it, Senator. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Geo-Karis, to close.

SENATOR GEO-KARIS:

I ask for a favorable consideration. This is for the veterans - VFW, that's saving itself and has their own building, and in order to maintain it, they have to have a little more help. So please give me a favorable vote, and I'll be happy to help Senator Shaw for -- in another bill to help the rest of them.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1414. 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

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

record. On that question, there are 46 Ayes, 8 Nays, 2 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1414, and the bill, having received the required constitutional majority, is declared passed. Senator Walsh, on Senate Bill 1912. Mr. Secretary, do you have on file a conference committee report on Senate Bill 1912?

SECRETARY HARRY:

Yes, Madam President. The First Conference Committee Report on Senate Bill 1912.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh.

SENATOR WALSH:

Thank you, Madam President. Conference Committee No. 1 on Senate Bill 1912 first of all concurs in House Amendment No. 1, and it additionally amends the Motor Vehicle Retail Installment Sales Act and the Retail Installment Sales Act. Provides that a person actually receives a motor vehicle or goods or services when he or she physically possesses or is legally entitled to possess the vehicle or goods as evidenced by being listed as the owner on the -- on a title or in a contract. Listing of a person as an owner is a conclusive proof that the person has actually received the motor vehicle, goods -- goods or services. This is agreed language between all parties. The Independent Finance Association and the Illinois Retail Merchants Association are proponents. The Illinois State Bar Association and the Legal Assistance Formulation {sic} (Foundation) have removed their opposition based on this language and are neutral, and this bill left on the Agreed Bill Committee {sic} from Committee today. And I just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Palmer.

SENATOR PALMER:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Thank you, Madam President. I just wanted to compliment the sponsor for working with many of the organizations that had some opposition to this earlier and agreeing to continue the discussion on into the Veto Session.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR WALSH:

Well, I just want to thank Senator Palmer. I -- I don't get many compliments, and I'm going to miss you. I'd just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall the Senate adopt the Conference Committee Report on -- Senate Bill 1912. 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 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1912, and the bill, having received the required constitutional majority, is declared passed. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Education - House Joint Resolution 79; re-referred from Executive to the Rules Committee - House Joint Resolution 133; referred to the Committee on Judiciary - Conference Committee Report 1 to House Bill 3048; to the Committee on Local Government and Elections - Conference Committee Report No. 1 to House Bill 2695; and Be Approved for Consideration - Senate Amendment 1 to House Bill 3380 and Senate Amendment 1 to House Bill 3696 and House Joint Resolution 133.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Yes, Madam President. On the -- on my Rules Committee Report, we had Senate Amendment No. 1 to House Bill 3396 was what we voted on in the Rules Committee, and I think I heard the Secretary give a different bill number.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Was there a typo mistake? Is that what the...

PRESIDING OFFICER: (SENATOR DONAHUE)

...hold for a second, Senator Cullerton, please. Senator Cullerton, to answer your question, it's my understanding it was a typographical error, and a copy -- a corrected copy has been distributed. Senator Cullerton.

SENATOR CULLERTON:

I just received what was distributed, which shows that the bill number that was in the committee was 3396. That was crossed out. 3696 was written in. Senator Weaver's signature, or his initials, appear to be next to it. I would just suggest that in -- in the future, they might want to notify one of the Members of the Democratic side with regard to this, just so we can make sure that it -- we have notice. No need to have a new Rules Committee meeting when there's a typo, but it just might be helpful to notify us that there was a typo. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Staff was provided with a corrected and a proper copy, Senator Cullerton. On your regular Calendar at the -- at -- on page 4, under House Bills 3rd Reading... Senator Lauzen, for what purpose do you rise?

SENATOR LAUZEN:

Thank you, Madam President. On Senate Bill 1414, I was --

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

inadvertently I voted Yes. I'd like the record to reflect a No vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Lauzen, record will reflect. On House Bills 3rd Reading, to the middle of page 4, is House Bill 3380. And Senator Philip, do you seek leave to have this bill brought... Senator Philip seeks leave of the Body to return House Bill 3380 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 3380. Senator Philip. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I have a technical amendment that changes the effective date {sic}.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? All -- seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3380. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3380.

(Secretary reads title of bill)

3rd Reading of the bill.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip. Senator Philip is yielding to Senator Rauschenberger. Senator Rauschenberger, on House Bill 3380.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. House Bill 3380 is a vehicle bill that we think we will be amending to move the State budget. I would urge a favorable roll call so we can send it over to the other Chamber.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 3380 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 32 Ayes, 1 Nay, 22 voting Present. House Bill 3380, having received the required constitutional majority, is declared passed. Senator Rauschenberger seeks leave of the Body to return House Bill 3696 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 3696. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. Floor Amendment 1 is a technical amendment. This bill we're also positioning for use as a budget vehicle. I would appreciate a favorable -- or, would appreciate adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Cullerton.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

SENATOR CULLERTON:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

If we do this, how many budget vehicles will we have available for conference committee for the budget?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

It's my understanding that we'll move two their direction and they'll send two back to us. So, hypothetically, there'll be four in play.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

How many of those do you expect will be filled up with actual legislation?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, the drafting currently is being done -- or, the preliminary drafting is being done by the Bureau of the Budget, not by the Senate or the House. But I -- to the best of my knowledge, they're probably talking about two bills, one -- well, actually three if you count Court of Claims. But there'll be a Court of Claims bill, I expect. There'll be a budget bill and budget implementation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Does that mean that some typist in the Bureau of the Budget is

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

actually aware of what the budget's going to be and no Members, at least on this side of the aisle, have even been given a hint as to what it's going to be? Or can -- is it possible for us to go down and actually watch it being typed?

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Seeing none, the question is, shall the Senate adopt Floor Amendment No. 1 to House Bill 3696. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now on the Order of 3rd Reading is House Bill 3696. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 3696.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. I would urge a favorable roll call to send this back to the House.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, the question is, shall House Bill 3696 pass. All 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 32 Ayes, no Nays, 24 voting Present. House Bill 3696, having received the required constitutional majority, is declared passed. Senator DeLeo, for

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

what purpose do you rise? That -- verification is always in order. Senator DeLeo has requested a verification. Will all Senators be in their seats? And the Senator will -- the Secretary will read the affirmative votes. Mr. Secretary.

SECRETARY HARRY:

The following voted in the affirmative: Bomke, Burzynski, Butler, Cronin, DeAngelis, Dillard, Donahue, Dudycz, Fawell, Fitzgerald, Geo-Karis, Hawkinson, Hendon, Karpziel, Klemm, Lauzen, Luechtefeld, Mahar, Maitland, O'Malley, Parker, Peterson, Petka, Raica, Rauschenberger, Sieben, Syverson, Walsh, Watson, Weaver, Woodyard, and Mr. President.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR DeLEO:

Yes, Madam President. Senator Peterson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Peterson is by his seat.

SENATOR DeLEO:

Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard is in the back of the Chamber.

SENATOR DeLEO:

Senator Hendon.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon is also in his seat, sir.

SENATOR DeLEO:

Senator O'Malley.

PRESIDING OFFICER: (SENATOR DONAHUE)

He is in the phone booth. Get Senator O'Malley -- that's all right. I can see him. Senator O'Malley is in the back.

SENATOR DeLEO:

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Senator Walsh.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Walsh is in his seat.

SENATOR DeLEO:

I can't see him. Nothing further, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

On a verified roll call, the Ayes are 32, the Nays are none, and there are 24 voting Present. House Bill 3696, having received the required constitutional majority, is declared passed. On page 6 of the regular Calendar is the Order of Secretary's Desk, Concurrence. We are going to go to that Order for the purpose of nonconcurrence motions - oral, and in the middle of -- the top of the page there is Senate Bill 21. Senator Butler? Out of the record. Senator Klemm, on Senate Bill 586? Senator Maitland, on Senate Bill 761? On -- it's on page 6. The next bill is Senate Bill 1246. I'll have leave to come back to Senate Bill 1246. Leave is granted. Next is Senate Bill 1260. Senator Rauschenberger? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Madam President, I'd like to move to nonconcur in Senate Bill 1260.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President. Senator, this typist at the -- the Bureau of the Budget, is she somebody that -- like, you have an initial or something? Do you have her initials so we could go and just ask her the broad overlines of the -- of the budget?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger has moved to nonconcur in House Amendment No. 1 to Senate Bill 1260. All those in favor, say Aye.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Opposed, Nay. The Ayes have it, and the Secretary shall so inform the House. On page 5 of the regular Calendar is Secretary's Desk, Resolution. We are going to go to that order of business. The first resolution is Senate Resolution 207. I will ask leave of the Body to return to that Order. Next is House Joint Resolution 92. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

House Joint Resolution 92.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President and Ladies and Gentlemen of the Senate. House Joint Resolution 92 urges the United States Department of Veterans' Affairs to authorize veterans to receive outpatient medical services in two counties - LaSalle and Manteno areas. As you know, the veterans' hospital is closed there. The next closest hospital is over a hundred and twenty-five miles. That would let veterans in those areas use their local doctors. Be happy to answer any questions and hope there'd be a lot of green votes up there.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, Senator Philip moves the adoption of House Joint Resolution 92. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Next is House Joint Resolution 92. Senator Maitland. Madam Secretary -- 97. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

House Joint Resolution 97.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President. House Joint Resolution 97 creates the Roofing Industry Regulation Task Force. The purpose is to review the Illinois Roofing Industry Licensing Act and report any changes that might be necessary to the Governor's Office by January 1 of '97. It has been discussed that -- that the roofing industry has been under some criticism. It's one of the most criticized -- it's one of the most criticized businesses in -- in the State, and -- and this is an attempt by the roofing industry to -- to strengthen and clean up its own Act, and I would seek support of the resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Senator Maitland moves the adoption of House Joint Resolution 97. Those in favor will vote Aye. Opposed, 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 56 Ayes, no Nays, none voting Present. Senate Joint -- House Joint Resolution 97, having received the required vote, is adopted. House Joint Resolution 98. Senator Dillard? Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

House Joint Resolution 98.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

...Dillard.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This resolution comes from a number of teachers' groups

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

and just embodies ten points in a Bill of Rights and Responsibilities for Learning, with a very decent emphasis that our students in our classrooms shall be safe. It has been adopted in a number of other states, and I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator -- Senator Dillard moves the adoption of House Joint Resolution 98. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. House Joint Resolution 102. Senator Hawkinson? Read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

House Joint Resolution 102.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. House Joint Resolution 102 comes at the request of the City of Princeton, and it asks that Route 26 from East Peoria Street in the City of Princeton southeast to Route 180 be named the Bureau Valley Parkway. This was recently redone, reconstructed, and the City of Princeton has asked that it be named the Bureau Valley Parkway. I know of no opposition and would ask for approval of House Joint Resolution 102.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? In the opinion of the Chair, Senator Hawkinson, there is the chance of an expenditure of funds here, so we will take a roll call vote. Senator Hawkinson moves the adoption of House Joint Resolution 102. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

On that question, there are 54 Ayes, no Nays, no Members voting Present. House Joint Resolution, having received the required constitutional majority, is declared adopted. Top of page 6 is Senate Joint Resolution 94. Senator Cronin? With leave of the Body, we'll return to Senate Joint Resolution 94. Senate Joint Resolution 96. Senator Sieben. Read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 96.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 96 merely names that portion of Route 2 from the City of Dixon to the City of Rockford as the Black Hawk Trail. Comes at the request of the Black Hawk Hills R.C. & D. Group, and I'd move for its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Sieben, I'll take -- take a roll call vote on this one too, the possible expenditure of funds. Senator Sieben has moved the adoption of Senate Joint Resolution 96. 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, Madam Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. Senate Joint Resolution 96 is adopted. Earlier Senator Donahue had sought leave to return to Senate Resolution 207 on page 5. Senator Donahue? Read the bill {sic}, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Resolution 207.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

The Committee on Executive adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President and Ladies and Gentlemen of the Senate. Senate Resolution 207 requests that the Auditor General do a universal -- excuse me. It requests that the Auditor General conduct an audit on the Universal Pre-screening {sic} (Screening) Program which has recently -- will be implemented by the Department of Public -- or, Department of Aging in our nursing home industry. And we are asking to have some idea of what the cost-effectiveness of this program is. We amended it in committee to have the audit take place in the second year of the program. It will not be in the first year of the start-up. And I would simply ask for its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, Senator Donahue moves the adoption of Senate Resolution 207. 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, Madam Secretary. On that question, there are 54 Ayes, no Nays, no Members voting Present. And Senate Resolution 207 is adopted. All right. Ladies and Gentlemen, earlier in the day, Senator Donahue had sought leave to return to Senate Bill 1246, Secretary's Desk, Concurrence, on page 6. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would move to nonconcur in this amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Donahue has moved to nonconcur -- House Amendment No. 1 to Senate Bill 1246. Those in favor, say Aye. Opposed, Nay.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

The Ayes have it. House Amendment No. 1 to Senate Bill 1246... The motion carries and the Secretary shall -- so inform the House. Ladies and Gentlemen, we will now go to Executive Session for the purpose of advise and consent. Madam Secretary, Committee Reports.

ACTING SECRETARY HAWKER:

Senator Brad Burzynski, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Messages A and B of February 9, 1996, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I move the Senate resolve itself into Executive Session for purpose of acting on the Governor's appointments set forth in his Message of February 9th. And with respect to the Governor's Message of February 9th, I will read the salaried appointments to which the Senate Committee on Executive Appointments recommends the Senate do advise and consent:

To be the Assistant Director of the Department of Central Management Services for a term ending January 20th, 1997, Nicholas Keith Chambers of Springfield.

Mr. President, having read the salaried appointment, I now seek leave to consider this appointment on a roll call. And, Mr. President, will you put the question as required by our rules?

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there any discussion? Is there any discussion? If not, the question is, does the Senate advise and consent to the nomination just made. 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, Madam Secretary.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

On that question, there are 55 Ayes, no Nays, no Members voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Cullerton, for what purpose do you arise, sir?

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. Mr. President, I just wanted to clarify something and make an apology if it's appropriate. The Rules Committee met and there was a minor change in the Rules Committee. Our staff was notified of the change, and I just wanted to make it clear that I didn't want to leave the impression that we questioned the integrity or anything like that of the Rules Committee Chairman, Senator Weaver. We were notified, and I apologize for any inference that might have been left that we questioned that. We were notified and appreciate that notification. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you, Senator Cullerton. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR MAITLAND)

You've heard the motion. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. Senator Hendon on the Floor? Senator Hendon? Ladies and Gentlemen, on -- on Supplemental No. 2 - Supplemental Calendar No. 2 - is Senate Resolution 212. Senator Hendon. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 212.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hendon.

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

SENATOR HENDON:

...much, Mr. President. First I want to thank Senator Weaver, the Chairman of the Rules Committee, for moving this along for me. Senate Resolution 212 simply says that we, the Senators of the State of Illinois, will look at ways to lower the gasoline taxes in the State. We understand that especially in the border counties, that people are going across the border to buy their gas, and while they're there, they're buying food and -- and other things. And this simply says that we will look at a way and have the Legislative Research Unit and -- Economic and Fiscal Commission take a look, along with the Senate, at ways to see if we can lower the gasoline taxes and spur economic growth and business in the State of Illinois and give the consumers a break without hurting the local economies. And I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, Senator Hendon moves the adoption of Senate Resolution 212. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Is Senator Woodyard on the Floor? House Joint Resolution 126. Senator Woodyard on the Floor? Ladies and Gentlemen, we're trying to give you an opportunity to get all these called. Senator Woodyard, not -- all right. Senator Parker, on Senate Joint Resolution 108? Read the resolution, Madam Secretary. Senate Joint Resolution 108.

ACTING SECRETARY HAWKER:

Senate Joint Resolution 108.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Parker.

SENATOR PARKER:

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

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

What this is, is it -- it has a joint legislative, bipartisan committee looking into adoption laws in the State, and we are looking at reviewing the adoption Act and a couple of issues. And we are putting together a bipartisan joint legislative committee with the House, and we would like to have information for us this fall or particularly for next spring.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, Senator Parker moves the adoption of Senate Joint Resolution 108. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 55 Ayes, no Nays, no Members voting Present. Senate Joint Resolution 108 is adopted. All right. Senator Woodyard, are you ready? On Senate {sic} Joint Resolution 126. Read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

House Joint Resolution 126.

There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Woodyard.

SENATOR WOODYARD:

Thank you, Mr. President, Members of the Senate. I apologize being off the Floor a few minutes. This resolution urges the U.S. Fish and Wildlife Service to take another look at the regulations regarding baiting, and that's where -- whether that be deer or fish or whatever, in -- in the regulations and -- and possibly make some -- some new regulations regarding penalties involved with that baiting. And that's what the resolution does.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, Senator Woodyard moves the adoption of House Joint Resolution 126. Those

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. ...Ladies and Gentlemen, on the bottom of page 6, Secretary's Desk, Non-concurrences, is House Bill 22. Senator Rauschenberger, are you ready to proceed?

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. I -- I move to refuse to recede from the House amendment -- Senate -- from -- from the Senate amendment.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger moves that the Senate refuse to recede from the adoption of Senate Amendments No. 3 and 4 to House Bill 22 and that a conference committee be adopted {sic}. All those in favor, say Aye. Opposed, Nay. The Ayes have it and the motion carries, and the Secretary shall so inform the House. Messages from the House.

ACTING SECRETARY HAWKER:

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

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

Senate Bill 1278, together with House Amendments 8 and 9.

Passed the House, as amended, May 23rd, 1996.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, let me just ask that you stand at ease for a -- for a few moments until we allow some of the paper to catch up with us, and then we'll make a decision as to how and what we do. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

I'm sorry. The noise level was so great in here, I really didn't comprehend what you indicated. So would you repeat that, please?

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

PRESIDING OFFICER: (SENATOR MAITLAND)

Yes, Senator Demuzio. I just asked that -- that we all stand at ease for a few moments, stay on the Floor and allow some of the paperwork to catch up, and we'll make a decision as to how much longer we'll be going and what we need to do yet this evening. Senator Watson, for what purpose do you arise, sir?

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR WATSON:

Yes. I'd like to certainly welcome to the Senate Floor our outstanding Attorney General, Jim Ryan. We're glad to have you here, Jim, and welcome.

PRESIDING OFFICER: (SENATOR MAITLAND)

Welcome to the Senate, General. Ladies and Gentlemen, let me have your attention, if you would please, for a few moments. The Messages that are due back from the House are coming rather slowly, for whatever reason. I'm going to suggest that we -- that we recess until the hour of seven. At that time we'll have a little better understanding of where we are. We know that you had a long evening last evening. We're all tired. We hope not to stay very long after seven o'clock, but we will need to deal with some paperwork that should come over within the next hour. So the Senate will stand in -- Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Well, is it just for the purpose of going paperwork, or is it for the purpose of taking some affirmative action?

PRESIDING OFFICER: (SENATOR MAITLAND)

No, sir. They -- we -- there will be some -- some situation where we'll need to send the Message back. Yes, sir. Is there any

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

further business? Any other -- anyone else? Senate will stand in recess until the hour of seven o'clock.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Re-referred from the Education Committee to the Rules Committee - House Joint Resolution 79; referred to the Committee on Executive - Conference Committee Report 1 to Senate Bill 1664 and House Joint Resolution 104; to the Committee on Judiciary - Conference Committee Report 1 to House Bill 548 and Conference Committee Report 1 to House Bill 1249; to the Committee on Local Government and Elections - the Motion to Concur with House Amendments 8 and 9 to Senate Bill 1278; and Be Approved for Consideration - House Joint Resolution 79 and Conference Committee Report 1 to Senate Bill 1490.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Resolution 231, offered by Senators Cullerton, Collins, DeLeo, and all Members.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. Is there any further business to come before the Senate? If not, Senator Raica moves that the Senate

STATE OF ILLINOIS
89TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

111th Legislative Day

May 23, 1996

stands adjourned until 9 a.m., Friday, May 24th.

DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 23, 1996

HB-0022	REFUSE TO RECEDE	PAGE	115
HB-0322	RECALLED	PAGE	2
HB-0322	THIRD READING	PAGE	24
HB-0322	MOTION FILED	PAGE	68
HB-0545	CONFERENCE	PAGE	54
HB-1249	REFUSE TO RECEDE	PAGE	64
HB-2406	CONFERENCE	PAGE	4
HB-2421	CONFERENCE	PAGE	72
HB-2524	RECEDE	PAGE	12
HB-2524	MOTION FILED	PAGE	68
HB-2529	CONFERENCE	PAGE	59
HB-3157	CONFERENCE	PAGE	64
HB-3380	RECALLED	PAGE	100
HB-3380	THIRD READING	PAGE	100
HB-3436	CONFERENCE	PAGE	60
HB-3448	CONFERENCE	PAGE	74
HB-3451	CONFERENCE	PAGE	75
HB-3670	CONFERENCE	PAGE	76
HB-3696	RECALLED	PAGE	101
HB-3696	THIRD READING	PAGE	103
SB-1019	CONCURRENCE	PAGE	69
SB-1122	CONFERENCE	PAGE	77
SB-1122	OTHER	PAGE	94
SB-1246	NON-CONCURRENCE	PAGE	110
SB-1260	NON-CONCURRENCE	PAGE	105
SB-1414	CONFERENCE	PAGE	99
SB-1414	OTHER	PAGE	94
SB-1465	CONFERENCE	PAGE	62
SB-1912	CONFERENCE	PAGE	97
SR-0207	ADOPTED	PAGE	109
SR-0212	ADOPTED	PAGE	112
SR-0229	RESOLUTION OFFERED	PAGE	1
SR-0230	RESOLUTION OFFERED	PAGE	68
SR-0231	RESOLUTION OFFERED	PAGE	117
HJR-0081	RESOLUTION OFFERED	PAGE	68
HJR-0092	ADOPTED	PAGE	106
HJR-0097	ADOPTED	PAGE	106
HJR-0098	ADOPTED	PAGE	107
HJR-0102	ADOPTED	PAGE	108
HJR-0126	ADOPTED	PAGE	114
HJR-0127	RESOLUTION OFFERED	PAGE	37
HJR-0133	RESOLUTION OFFERED	PAGE	1
SJR-0096	ADOPTED	PAGE	109
SJR-0108	ADOPTED	PAGE	113

SUBJECT MATTER

MIDNIGHT	PAGE	1
SENATE RECONVENES	PAGE	1
COMMITTEE REPORTS	PAGE	1
MESSAGES FROM THE HOUSE	PAGE	1
SENATE STANDS IN RECESS	PAGE	2
SENATE RECONVENES	PAGE	2
SENATE STANDS IN RECESS	PAGE	34
SENATE RECONVENES	PAGE	34
SENATE TO ORDER-SENATOR GEO-KARIS	PAGE	34
PRAYER-SENATOR RAICA	PAGE	35
PLEDGE OF ALLEGIANCE	PAGE	35
JOURNALS-POSTPONED	PAGE	35
COMMITTEE REPORTS	PAGE	36
MESSAGES FROM THE HOUSE	PAGE	37
EXECUTIVE SESSION-GOVERNOR'S/TREASURER'S APPTS.	PAGE	38
COMMITTEE REPORTS	PAGE	38
COMMITTEE REPORTS	PAGE	42

DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 23, 1996

SUBJECT MATTER

COMMITTEE REPORTS	PAGE	44
COMMITTEE REPORTS	PAGE	47
COMMITTEE REPORTS	PAGE	49
ARISE FROM EXECUTIVE SESSION	PAGE	51
INTRODUCTION OF GUEST-SENATOR BOMKE	PAGE	53
REMARKS BY SCOTT PAYNE, INNER CITY MISSION	PAGE	53
SENATE STANDS AT EASE	PAGE	66
SENATE RECONVENES	PAGE	66
COMMITTEE REPORTS	PAGE	67
SENATE STANDS AT EASE	PAGE	67
SENATE RECONVENES	PAGE	67
COMMITTEE REPORTS	PAGE	68
MESSAGES FROM THE HOUSE	PAGE	68
COMMITTEE REPORTS	PAGE	98
EXECUTIVE SESSION-GOVERNOR'S APPOINTMENTS	PAGE	111
COMMITTEE REPORTS	PAGE	111
ARISE FROM EXECUTIVE SESSION	PAGE	112
MESSAGES FROM THE HOUSE	PAGE	115
SENATE STANDS IN RECESS	PAGE	117
SENATE RECONVENES	PAGE	117
COMMITTEE REPORTS	PAGE	117
ADJOURNMENT	PAGE	118