

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

71st Legislative Day

January 11, 1990

PRESIDENT ROCK:

The hour of 11:30 having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery kindly rise. Our prayer this morning by the Reverend T. D. Robinson, Pleasant Grove Baptist Church, Springfield, Illinois. Reverend.

THE REVEREND T. D. ROBINSON:

(Prayer given by the Reverend T. D. Robinson)

PRESIDENT ROCK:

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

SENATOR HALL:

Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT ROCK:

All right. You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. All right. Ladies and Gentlemen, we've had a request. -- KWOC-TV from Davenport has requested permission to shoot some film. Senator Jacobs is on red alert, and the Daily Dispatch from the Quad Cities has requested permission to shoot some still photographs. Without objection, leave is certainly granted. All right. Ladies and Gentlemen. Senator Smith, you have House Bill 745. Senator Zito has House Bill 2431. Those are on Pages 5 and 6 of the Calendar. On Page 8 of the Calendar we have a Conference Committee Report to be offered by Senator Berman on House Bill 515. At some point we'll have Senate Bill 572, which is the River Boat Gambling bill report, and Senator Savickas has 1369 on that same Order on Page 8. So, the fact is, we do not have a great deal of work ahead of us, and I would suggest we get at it so that we

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can adjourn at some reasonable time today. All right. With leave of the Body then, we'll go to Page 5 on the Calendar. On the Order of House Bills 3rd Reading is House Bill 745. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 7-4-5.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 745 deleted from the former, does exactly what the Calendar reads here, and I move for its adoption.

PRESIDENT ROCK:

All right. Senator Smith has moved the passage of House Bill 745, as amended. Is there any discussion? If not, the question is, shall House Bill 745 pass. Those in favor will vote Aye. Opposed, vote Nay and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, no Nays, 1 voting Present. House Bill 745, having received the required constitutional majority, is declared passed. If you'll turn the page to Page 6. Senator Zito. 2431. On the Order of House Bills 3rd Reading is House Bill 2431. Madam Secretary, read the bill, please.

SECRETARY HAWKER:

House Bill 2431.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Zito.

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SENATOR ZITO:

Thank you, Mr. President and Members. Yesterday, if you recall, we adopted an amendment, Senate Amendment No. 1 to House Bill 2431. It deals with commercial paper. We needed to change that a little bit to revert to the three highest classifications and increase the cap on investments in commercial paper to one third of a public agency's funds. The bill now, I really feel, is needed the change the provisions and allow public agencies greater latitude in their investment portfolios, and therefore earn the greatest return possible. I don't of any opposition. This is sponsored by most of the financial institutions. Be happy to answer any questions, and would ask for your favorable support.

PRESIDENT ROCK:

All right. The Gentleman has moved -- moved passage of House Bill 2431. Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. As co-sponsor of the bill with Chairman Zito on this issue, it really is a -- a needed change in the law. It -- it was a small glitch we've cleaned up. There's still plenty of consumer protection and -- and for that reason I would ask our colleagues to vote affirmatively.

PRESIDENT ROCK:

Question is, shall House Bill 2431 pass. 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 52 Ayes, no Nays, 1 voting Present, and House Bill 2431, having received the required constitutional majority, is declared passed. All right. If you turn to Page 8 on the Calendar. Page 8 on the Calendar. On the Order of Conference Committee Reports. There's a Conference Committee Report with respect to House Bill 515, Madam Secretary, please.

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SECRETARY HAWKER:

First Conference Committee Report on House Bill 515.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Conference Committee Report on House Bill 515 does two things. The first part of the Conference Committee Report corrects an error - to refresh your memory, we passed a bill that would provide, in effect, four thousand dollars per certified employee to newly formed school districts. Because of a amendatory veto and a delayed effective date, there were several school districts that were left out of the coverage of this bill. They had been formed before the bill, in effect, became effective, but they would have been included if the original bill was -- was passed in its original time frame. The bill - this bill corrects that, and moves back the effective date of that extra money for those certified employees of those newly formed school districts. They are districts represented by Senators Geo-Karis, Weaver, Maitland, Jerome Joyce, Welch and Mahar. The second part of the bill brings Chicago School District into conformity with a bill that we passed for the rest of the State, that requires criminal background checks for employees of firms holding contracts with the school districts, where their employees come in contact on a daily basis, with pupils. This is addressed to school bus drivers, to food workers, other types of contract employees, who are -- whose companies contract with school districts and these people come in contact with children. The bill is immediately effective so as to provide greater safety for these contact people, when they come in contact with the schoolchildren of Chicago. Be glad to respond to any questions. Solicit your Aye vote.

PRESIDENT ROCK:

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Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I sincerely concur with Senator Berman, and the -- last year we passed a bill about bus drivers who were -- should have criminal checks on them for bus drivers of school children. Well, we didn't include the ones on contractual service, and this bill includes it. And I certainly support the bill wholeheartedly.

PRESIDENT ROCK:

Further discussion? Is there any further discussion? Senator Berman, you wish to close? Question is then, shall the Senate adopt the Conference Committee Report on House Bill 515. Those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 515, and the bill, having received the required constitutional majority, is declared passed. 572 -- I understand there will be a corrected copy that should be available shortly. 1369. Senator Savickas. All right. Bottom of Page 8 -- middle of Page 8, on the Order of Conference Committee Reports is a report with respect to Senate Bill 1369, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 1369.

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President and Members of the Senate. Senate Bill 1369 is trying to address a problem that is a serious concern, not only in Chicago, Cook County and the rest of the State of Illinois, but also throughout the country. As the sponsor of

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Senate Bill 1369, I was asked to use this bill as a vehicle so that we can address the problem of our cities regarding trauma centers. Senator Raica and Senator Smith have been at the forefront working on this issue, and at this time I would like to ask any questions directed -- specific questions directed on this bill be addressed to Senator Raica and Senator Smith.

PRESIDENT ROCK:

Discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1369 is a bill that was drafted with bipartisan support. And it deals with the subject of trauma centers - trauma centers not only in the City of Chicago, but trauma centers in the State of Illinois. Much attention has been given by not only the news media, locally, but news media in other states. What we are attempting to do here is similar to what Florida has adopted and passed, and what Pennsylvania has adopted and passed. It is very similar to Senate Bill 1174, which passed out of this Senate on an Agreed Bill List last Session. What we have found by nationwide statistics that have been conducted, is that sixty-five percent of trauma victims that are seen in the trauma centers are those that have resulted from motor vehicular accidents. What we are proposing by this measure is to impose an additional fine, and if I may, I would like to quote some statistics that are 1988 convictions, which we have received from the Secretary of State's Office. For aggravated of fleeing or attempted to elude a police officer, there were one hundred and fifteen convictions; motor vehicular accidents involving death or personal injuries, five hundred and sixty-seven; failing to stop at an accident involving personal injury, one hundred and ten; driving while under the influence of either a narcotic or alcohol, twenty-two thousand four hundred and seventy-seven; reckless driving, two thousand

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seven hundred seventy-six; drag racing, one hundred and sixty-eight; reckless homicide, ninety-one. For the convictions that I have mentioned, there would be an additional one-hundred-and-fifty-dollar fine, which the judge would have to impose on a convicted case. If we take a look at the amount of speeding tickets that were issued in 1988, there were over four hundred and ninety-four thousand speeding violations in the State of Illinois. What we have attempted to do with this piece of legislation is say if you were convicted of speeding between one and ten miles an hour over the speed limit, you would have to pay an additional fifteen-dollar fine. If you were found speeding eleven miles and over the posted speed limit, you would have to pay a thirty-five dollar fine. What we have found also is that by the mere sense that a trauma center is designated a trauma center, they are like a magnet. They attract people from all over. If you take a look at the expressways throughout this great State of Illinois, you have people from Chicago who come out to the suburbs, and people from Chicago that come to Springfield. And you have the reverse; you have people in Springfield and the suburbs that enter the City of Chicago. To say that this proposal benefits the City of Chicago, would not really serve any purpose. Michael Reese Hospital, which is in the City of Chicago, that I will let Senator Margaret Smith speak about, is on the verge of closing, because financially, they cannot afford the amount of unpaid or medicaid victims that are coming into their facility. If you look at Senator Jones' districts, which we have when we presented this piece of legislation, you have the University of Chicago, that has closed their trauma center. There has been much discussion over Provident Hospital and the possibility of Provident Hospital being open, and once that it is open, be designated a trauma center. This piece of legislation would not -- would not preclude Provident Hospital from getting into the

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trauma network, nor would it preclude any hospital throughout this State of Illinois getting into the trauma system. There has been much discussion over the constitutionality of this piece of legislation. When Senate Bill 1174 passed out of the Senate, it passed on an Agreed Bill List. Nowhere was the constitutionality brought up when it passed the first time. We have said, with this piece of legislation, how much money can possibly be generated to assist trauma centers throughout the State of Illinois. We have tried to get statistics from the Department of Public Health regarding what type of trauma cases they see. They are two years behind in their statistics; therefore they had no statistics. The City of Chicago was able to give us statistics as far as the trauma victims that are seen in their emergency rooms and their trauma centers. If the fines were imposed on all the convicted cases that I have mentioned in this proposal, the State of Illinois, using 1988 statistics, would have generated between nineteen and twenty million dollars. What we wanted to do is maximize the amount of money that we would have in this fund. What we did is, we said, right now medicaid patients do not get their full reimbursement or their full payment in a trauma center. What we did is, we said, when this fund be created, it be titled a "Trauma Center Fund," and the Treasurer of the State of Illinois would take the monies there on a monthly basis and pay these trauma centers Statewide, not just the City of Chicago, for the amount of medicaid patients that they saw at their facility. Someone says, "Well, that means Chicago would have more than downstate, as far as medicaid patients that are seen in trauma units. In the City of Chicago there are five trauma centers. Seven, if you count Christ Hospital, which is in Oak Lawn, and Lutheran General, which is in Park Ridge, so the City of Chicago has five trauma centers. What I passed out to all Members of this General Assembly this morning is a list of trauma centers

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throughout this State of Illinois. Ladies and Gentlemen, there are twelve Level I Trauma Units in the State of Illinois outside the City of Chicago, and sixty-four Level II Trauma Units outside the City of Chicago, which means there are seven-six hospitals versus five hospitals in the City of Chicago. If medicaid patients are seen in these trauma units, and these trauma units treat these medicaid patients, they will be reimbursed for the amount of medicaid patients they see. So it would be very hard to stand here before you, and say how five hospitals can receive more money than seventy-six hospitals. If you ask me with this proposal, are you telling me that a downstate hospital that sees forty trauma patients in a month or fifty in a day are going to receive money for money, I'm saying yes. That is what is in this proposal. With the matching funds in statistics that we have gotten, this fund with the matching fund from the federal government because they are public aid patients, we would have an excess of thirty-five million dollars in this fund. The money that would be left over at the end of the year would go, again on a statewide basis, to fund trauma patients who have been seen in trauma units that are medically indigent, that cannot afford the insurance, and these are working-class people, in some case, that do not meet the requirements for public aid. At this point, if there's any questions, I'd be happy to try and address them.

PRESIDENT ROCK:

All right. Ladies and Gentlemen, since we have given leave to the television station from Davenport, others have obviously joined -- 2, 5, 7 and 9, and sundry others. With leave of the Body, all are most cordially welcome. In addition, Mr. Mike Fryer from the Tribune has requested permission to take some photographs. Without objection, leave is granted. Discussion?  
Senator Jones.

SENATOR JONES:

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

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Jones.

SENATOR JONES:

Well, I don't know whether it's Senator Raica or Senator Dudycz; I can't tell them apart, so -- or Senator Savickas. The question I raise, you mentioned my district, Senator Raica, but I represent the far south and south suburbs of the City of Chicago -- far south. You indicated that about five Level I Trauma Centers. Could you give me the name of those five Level I Trauma Centers in the City of Chicago?

PRESIDENT ROCK:

Senator Savickas.

SENATOR SAVICKAS:

Senator Jones, obviously, had you read the analysis that Nia had prepared so effectively, in the comments, item three, it says Statewide there are approximately eighty hospitals. The seven in Illinois <sic> are the Illinois Masonic Hospital, Northwestern, Cook County, Mt. Sinai, Lutheran General, Christ Hospital and Medical Center, and Michael Reese Hospital and Medical Center, and recently, the Michael Reese Hospital and Medical Center announced they would withdraw from the Chicago Trauma Network, because of inadequate funding. The withdrawal of Michael Reese would leave only Christ Hospital and Medical Center in Oak Lawn to provide care for southside trauma patients. Prior to Michael Reese's announcement, Loyola, the University of Chicago, and Louis Weiss Memorial had already withdrawn from the Chicago Trauma Network. The purpose of this legislation is to provide a base of funding to continue those trauma centers that are in operation and provide for the opening of new ones. This present -- present trend of our trauma centers in our network of the hospitals pulling out, must be stopped. If there were other ways to do it...

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Excuse me, Senator Savickas. Senator Jones, for what purpose do you arise? Senator Jones.

SENATOR JONES:

I didn't ask the Gentleman for a long-winded speech. I asked him a particular question, 'cause I had several other questions I wanted to ask them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, there will be ample time.

SENATOR JONES:

I mean, what he's going into, he can use that in his summation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

My second question is, the hospitals that you named, Illinois Masonic, Cook County Hospital, Michael Reese, could you give me the mileage of those hospitals in relationship to each other?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

I would imagine ten to fifteen miles.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, Michael Reese is not too far from Cook County Hospital. Illinois Masonic Hospital is rather close, and the question I'm bringing to mind is simply this, which is of concern to me and the people whom I represent. Could you tell me, in the south suburbs in the far southside of the City of Chicago, is there any Level I Trauma Center?

PRESIDING OFFICER: (SENATOR DEMUZIO)

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Senator Savickas. I beg your pardon. Senator Raica indicates he has the answer. Senator Raica.

SENATOR RAICA:

Senator Jones, prior to all this, the University of Chicago -- I'm getting to your question -- University of Chicago was a Level I Trauma Center, and what they did is, they took all the patients from the southeast side of the city to the University of Chicago. Currently the people from the southeast side of Chicago are now going to Christ Hospital, which is in Oak Lawn. In your question, also, you ask what south suburbs -- Senator Jones, before you -- I -- I gave you a breakdown Statewide of the trauma centers which are functioning under the Illinois Department of Public Health -- oh, I'm sorry -- with the State Department, that's the sheet I gave you with the seventy-six hospitals on them. The City of Chicago has a separate trauma network. They all work together. However, there are Level I and Level II that are designated by the State, and trauma centers within the City of Chicago that are designated by city ordinance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, my purpose for asking the question, and I hope either one of the sponsors will -- can answer this question. And I know the difference, but I would like for the Body to know the difference. What's the distinction between the Level I and a Level II Trauma Center?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Level I Trauma Centers see the -- almost the absolute case of trauma victims. Level II is one that would see trauma -- is a trauma patient, but one that -- I would have to say not of the

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most critical nature. So in other words, if you were looking at the sheet, the way the State has written their law is that there will be a Level I Trauma Center in close proximity of Level II Trauma Centers when they designate regions, which the State has done. So Level I Trauma Centers would see the absolute most life-threatening -- and the best case scenario I can give you is limb-threatening, where there's an amputation of a leg, an arm, whereas the Level II may see a gunshot victim to the arm, or a trauma victim of the arm. So that would be the class distinction.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

The reason why I raise those questions is because I know the hue and cry is about -- saving the trauma centers. The University of Chicago just did not pull out; they have been out more than two years ago. Michael Reese Hospital only stayed in when they were attempting to merge with the University of Illinois, and talking to Dr. Nadler, he has sent a letter of intent more than a year and a half ago to pull out, and he would have stayed in had the merger taken place. But what I am saying to you, you talk about the medically indigent and so forth, and in the far southside of the City of Chicago, and south suburbs, the area I represent, you got Altgeld Gardens out there for example, you have Phoenix, you got Robbins, you got Dixmoor, you got parts of Harvey, you got Chicago Heights, which is in Senator DeAngelis' district. You have a core of poverty out there, but I see no comprehensive plan to get these people to a Level I Trauma Center. A person involved in an accident, for example, is -- is a trauma victim. It could be early in the morning, and by the time they got to go through all that traffic coming in the City of Chicago, be it the Calumet or I-57 Expressway System, they would die. What concerns me more about this is that I know we must save Level I Trauma Centers, but

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then too, it should be a comprehensive plan to take care of the area where the need exists. The people out my way can't get to Michael Reese Hospital; it's too far away. The expressways are congested. They can't get to Cook County Hospital. Christ Hospital, located in Oak Lawn on West 95th Street, may take care of your constituents, but by the time they get from out where I am at the southside of Chicago and suburbs, it's too late. So what I am saying to you is simply this - and I wish this had been considered in the proposal - is that sometime I think we are putting the cart before the horse. It should be a comprehensive plan to deal with these areas, because the monies will be consumed, and if anyone else come in, you're going to say we have no money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Raica, for what purpose do you arise?

SENATOR RAICA:

If I may, Mr. President, I would just like to respond to what Senator Jones just said. Senator Jones, this bill - or this proposal - does not deal with the -- the word I'm looking for -- does not deal with the location of the trauma center as far as designating trauma centers. And I think that's where you were coming from. You are saying that the victims that you have within your constituency may not have a close Trauma I, or Level I or Level II Trauma Center within your district, or within the area. I would probably have to stand here and agree with you, but that is another issue as far as designating trauma centers. What this does in fund the trauma centers that are there. Michael Reese Hospital is leaving the system because of financial difficulty. Senator Smith will probably address a conversation that she had with Michael Reese Hospital. University of Chicago left the trauma Network because of the lack of finances, and that's what

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this type of legislation is trying to address - the need for financial -- we have heard the hospitals say that they need the help; we're trying to give them help.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well. In response to that, I would think that if we are going to tax, or have individuals for -- pay additional fines, and some of those individuals may come from my district, even though most people in my district don't drink, and they -- and they would not be fined as such. However, what I am saying to you, Senator Dudycz and Senator Savickas and Senator Margaret Smith, if you are really concerned about Level I Trauma Centers, then you will put everything together in one package, because it's been my experience around this Body to know one thing - it's that once we let this go, and then trying to include other centers in there, the first thing you're going to say, "Well no, you don't qualify," or "There is no money." Everything should go on one ship together, so that people can be protected. I can understand you, Senator Smith, supporting the people in your district. You're supposed to do that. But you're asking me to support something that is not going to benefit the constituents where I am at. And that's the major problem with the funding, before we have a comprehensive plan to deal with all the people in Cook County.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I share Emil Jones' concern. I believe if you take a look at the map that was printed in the Tribune just the other day, it pointed out, as far as the Trauma Network, and with the withdrawal of Michael Reese, it will cause a very serious lack of trauma care

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for anyone who travels the Dan Ryan Expressway, or lives on the southside of the City of Chicago. I don't think it's proper that a VIP has to be killed or die in the process of trying to receive trauma care, before the situation is addressed. And this is what Emil Jones is talking about. There is - no question - a problem in the southside of the City of Chicago, if you just look at the geographics of where the trauma networks are located and the number of cases that they handle. I had an opportunity to travel to Worth Township the other night, and as I traveled down the Dan Ryan Expressway and got off at Ninety-fifth Street and went past the trauma hospital, it took me a good forty minutes. So if you were hurt along that way and needed trauma care, you had to go to Christ Hospital. Well, unfortunately, trauma is a situation where it's vividly described and you need immediate attention. The longer you wait, the more -- the longer you wait, the less time you have to live. That is what Emil Jones is addressing. What this bill is addressing is at least a step in the right direction of funding. And Emil, I would hope that you would understand that the Health Care Summit is supposed to come back to us in April, and as the Governor pointed out yesterday, it's his intention to work with this General Assembly in providing adequate funds for all the Trauma Networks in this State. So I am going to be supporting this measure, and I would hope other people would as well. And yes, we do understand that there is a shortage - that there has to be a trauma outlet along -- along the southside of the City of Chicago. Hopefully, Provident Hospital, between the work that is being done by the Governor of this State, the letter that was sent to Secretary Kemp, and the work that is being done by the President of the County Board, it will bring that hospital in line, and maybe provide a trauma care system over there. I cannot answer that question today. But I hope that this General Assembly would seriously take a look at this funding mechanism and

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support it, and yes, we are going to have to be working on providing additional trauma networks for the southside of the City of Chicago. Thank you, Mr. Speaker.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please? Further discussion? Senator Jerome Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. The questions, I guess -- I guess what I am trying to find out - and I am sure a lot of people are interested in - is just what is the benefit for downstate Illinois in this program. We all know there is need for trauma centers in Chicago as well as downstate, and we know that they've -- we've heard on the news and here on the Floor about the crisis in Chicago. But I am wondering why it's the medicaid -- we're going through that. I understand that you can get matching funds and so forth, but why isn't there a formula, I guess, in this bill? And that was, I understand, brought up and there was resistance to that, and I'm concerned about that. Could you answer that for me, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President. Senator Jones, or -- I'm sorry, Senator Joyce, in this piece of legislation or in this proposal, there is -- the formula is already in existence with the Department of Public Aid as it pertains to the caseload of Public Aid patients. So the formula is worked in already and we use the word as -- according to methodology and everything, as, in accordance to the Department of Public Aid, the reimbursements would go out to the hospitals. When we take a look at the question, what's in it for downstate hospitals, right now there is a comprehensive plan as far as the Trauma Network is concerned, as

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far as designating trauma centers. It seems that the -- the problem comes in with the financial backing of trauma centers. We know, because we have statistics, and I am only just saying that we - the City of Chicago has statistics as far as the amount of Public Aid that goes into a trauma center and that is not funded. We know that downstate and throughout this State of Illinois, there are Public Aid patients that go into these trauma networks. And I would take a look at it this way, Senator Joyce. Right now, there is a good possibility that the paying patient for the Public Aid patients is the patient that has insurance. The cost is just passed on to them by these various trauma centers, because they have to offset these costs in one way or another. What we are saying by this proposal is that the Public Aid patient that gets seen downstate is going to be reimbursed the other half, which is not paid now. It's a pay adjustment that is worked in here. So the downstate hospitals, if they are seeing five thousand or ten thousand medicaid patients, they will be reimbursed for those five or ten thousand medicaid patients. It's a pay adjustment worked in with the Department of Public Aid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

But, isn't the medicaid system only part of the problem here? And what about the people in the trauma centers in the areas downstate where there isn't as many Public Aid people? Isn't that formula going to jeopardize the amount of money that comes in those areas?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Senator Joyce, what they have shown by their statistics, is that it is the medically -- or the Public Aid patients -- the

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medicaid patients that these trauma centers statewide are taking their loss on. And that's the need for the additional financing. Worked into this plan also, is to cover people who are medically indigent, who are seen at these hospitals, downstate as well as the City of Chicago. So in other words, if one of your hospitals - and I know there is quite a few that are Level I and Level II Trauma Centers - if they are seeing patients that are -- are medically indigent - they don't fall in that realm of Public Aid - what they would do is take a look at the caseload, not only through that trauma unit, but through the emergency room as well. So if they are going in there regardless of trauma - when it comes to the medically indigent - if they are going in there for a heart attack, if they are going in there for asthma, if there are going in there for epilepsy, they would take a look at the amount of charitable work, which is the uninsured person - the medically indigent, and they would be reimbursed a percentage also, as far as the charitable work goes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR J.E. JOYCE:

Would not that percentage be much lower in the downstate trauma centers than in Cook County?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Senator Joyce, I guess the only honest answer I can give you is there are seventy-six hospitals in -- versus five hospitals. So when you add all the other -- the seventy-six hospitals, I don't know how the -- more monies would go to the City of Chicago. It would be spread throughout, depending on the caseload that that trauma unit or emergency room has.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right. Further discussion? There are a number of additional speakers. Senator Topinka.

SENATOR TOPINKA:

Mr. President, Ladies and Gentlemen of the Senate. You know, I would commend Senator Raica and Senator Savickas, all who have been involved here and the Mayor of the City of Chicago, for trying to address this problem. I think the real problem is probably the emergency room pass-through status, which we've just seen, and this does not address this at all. First of all, I think when you go after something like this again in a piecemeal base -- on a piecemeal basis -- you're undercutting what is going on and preempting what is going on right now in -- in the Health Care Summit, which has been endorsed by the Governor, by the Cook County Board President, by the Mayor himself. And that report is expected in April. It includes trauma centers; it includes them in this regional approach to health care delivery, which is something we have been trying to do right along. It has never been done; it's a tremendous window of opportunity, and here we go preempting right out of the box and probably putting a long-term discussion of trauma centers on the shelf and off the table, when we have a perfectly good way of getting after it. The other thing I would like to bring up - I noticed that Senator Raica mentioned that there is some kind of a formula in place at Public Aid, that you would be playing off of, in terms of the distribution of these funds. Now I have just talked to the Department of Public Aid, and they tell me that there is no formula involved at all - the most that this is doing is asking them to promulgate rules to develop a formula. This, in fact, would now undercut there ICARE negotiations, which they already do now in terms of contracts with hospitals and their reimbursement, which include trauma centers, so I think that too is a problem. And also, I think, you know, when we look at this, we have to kind of take into consideration

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the fact that although this problem that is being addressed here in the way this bill works, addresses those who are in the medicaid system. Well, what are we doing in terms of considering the role of the private insurance industry, PPOs, other negotiated rate structures, the uninsured working poor, HMOs, all of those parties to the problem. But they are not part of the solution. They are just kind of nicely just left out of this. The other thing I think that's kind of interesting is -- is that in the City of Chicago, personal violence, not motor vehicle crashes, constitute the largest single cause of trauma cases. So therefore you're asking everybody outside of the City of Chicago -- the suburbs on down -- our motorists, to finance a trauma treatment of personal violence victims in the City of Chicago, when if you're trying to make a connection between reckless driving or all sorts of driving ills, to trauma, you've neglected the single biggest cause. So, if you want to include guns in this, or knives, or whatever you're talking about, they are kind of missing when they are the single largest cause. I think, too, we have to look at the constitutionality. Let me bring up what I feel is a similar situation. About a year or two ago, President Rock had, I thought, a very fine bill, where he wanted to add on to the cost of marriage licenses to fund domestic violence shelters. And I think we all agreed with him at that time that was a swell idea. Well the courts didn't think it was swell, because they have a problem of -- of what is the direct relationship to the offenses committed, or in the case of this, making the connection. This is similar. I don't know that the connection is more than tenuous, and I doubt that the courts would uphold this. And finally, I think we have to just look and see about this federal matching funds, because those will be only available to reimburse the costs of those patients who are medicaid-eligible. So anybody else involved here, there is not match. And I would like to end by

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asking how many votes does this take to pass? Because there is an effective immediate date there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

We will examine that and get back to you, Senator Topinka. Further discussion? Senator -- Senator Daley.

SENATOR DALEY:

Thank you, Mr. President and Members of the Senate. I stand in support of Senate Bill 1369. I view this and I believe we all do...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Excuse me. Pardon me, Senator Daley. Can we have some order please? Can we break up the conferences?

SENATOR DALEY:

...as not a City of Chicago problem, but a nationwide problem, as well as a State and county problem. This is funded for the entire State. If the City of Chicago wanted to be selfish, I guess it could have been amended to just include the City of Chicago alone, but we care for the entire State. As Senator Raica said, "We're concerned about continuing the existing trauma centers." I share the concern of Senator Jones of care on the southside of the City of Chicago, for I represent a part of the south side. I will work with Senator Jones, hopefully to provide funding for new traumas. But that isn't the problem. The problem now is that new -- the present traumas will continue to operate. We all heard the Governor, and the Governor was stated today that we cannot solve this in a short Session. Well, I believe that we should address it, because we've addressed White Sox Park in two days; we've addressed the Chicago Stadium; and we've addressed funding for McCormick Place - all problems that are not human related. This is serious problems. We are going -- and hopefully going to save lives with this bill. And I know the Governor gave a great address yesterday -- he gave a great address, and he

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constantly reminded us, time and time again, of the progress that has occurred under his administration. And he urged us to put that in our reelection brochure. If this doesn't pass, I urge each and every one of us to put it in our reelection brochure - where we voted. Thank you very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm happy to be a part of this bill, and I want to thank Senator Savickas and also Senator Raica, for what they have contributed here thus far. I was asked to speak in terms of Michael Reese Hospital, because it's in my district. But I want to also say to all of us who are legislators here in the State of Illinois, that we hold a responsibility to not just our districts, but we hold a responsibility to every citizen who resides here in the State of Illinois, and what we do here will mark our future. For the trauma problem is statewide, and we are in desperate need of money and we have seen that there -- here in Chicago, where I reside, that the financial strain has forced hospitals - like Weiss Memorial and University of Chicago - to withdraw from the city's trauma unit. I think that as a representative of my particular district -- on yesterday I called personally to the president of the Michael Reese Hospital, as I was asked to speak on at this particular time. I talked to him long distance, because many people are concerned about what's going to happen at Michael Reese Hospital. That's a trauma center. And those of us who live in Chicago and experienced -- two Saturdays ago we had an ice storm, and all up and down the blocks were nothing but accidents with light poles going down and people in desperate need. The hospital couldn't take care of them, so they had to take them and send them all the way out to Christ...Lawn Hospital

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and other areas. And some of the people, because of the lack of quick service, probably died. From the president of Michael Reese, he states that as of late as November that they had forty-six trauma cases; twenty-two of them were on medicaid and fifteen were self-paid. That caused a great problem, financially. People on medicaid could not get service because of our national program. There's a shortage of money. Medicaid people are not being paid, or receiving their...(inaudible). The people who are not insured are possibly people who have jobs, but their company has no insurance for them, and when they are blighted with a trauma case, they go to the hospital, they have to be served, because some of them are Level I people, and that's the best that they can do, and therefore it -- incurs a large amount of money that the hospital has to spend, and they never can expect to get paid for it. We need these trauma centers, regardless of where they are. We need to help the people who cannot help themselves. I say that the people downstate, what is this going to net you? The structure has already been -- as you have on your desk - I'm not going all through that - but the thing about it -- you may be in an accident on the highway, anywhere, you may not even be in your own city, but you are going to have to have aid. And wherever there is a trauma center, that's going to have to help you. All right. As you say, Senator, you do not have in your city, or in your district. There is a start from somewhere, and this is a start, to help us to have money to reimburse all of these hospitals who are seeking to be trauma centers. You may not -- this is what I heard talked from -- may I say this first; I am a member of the Summit Committee, and I understand here that they said, "Leave this up to the Summit Committee to make their decision." You cannot wait until that is over, because it's the month of April, but if we have this and we know that it is a need, we can take this with power to the Summit Committee, and see that

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these things are enacted. These places have not had trauma centers for all these years, and so this is a start to see that there's a trauma center or a hospital or something put in your -- in your district, as a result. Now, it is really a necessity. If you look at today's State Journal paper here, you see how the hospitals here are all crowded, and it's not just here in the City of Chicago, or in many of the -- but here in Springfield, they are verging -- they are on the verge of hanging out "No Vacancy" signs. In -- Lincoln, Litchfield, all across the lower part here of the -- of the Southern part of Illinois, you are all having problems. The people who are in the small areas where the seventy-four trauma centers originate, they themselves are suffering before the need of money, so we ask you to please, let this bill start. Let us take this serious, because you never know what's going to happen to you, and if we can show these -- Michael Reese Hospital in our -- and this is what he said, and I may - I quote this to you, That the bill would be provided the dollars to cover the cost of care who are both the medicaid patient and the patient who has no adequate coverage, if they are covering the patient's cost on the Number I Level Trauma, will -- they will stay in and work with the system to redesign the system. This is not only going to help Chicago, it's going to help us all the way across the State, because these same hospitals who are servicing trauma patients across this State, are suffering the same thing, and as a result of this bill, it's going to give them all encouragement and the news media and all of us will come to their aid and you, especially, will be very proud to be able to go back to your district and said those of us who have trauma -- centers in our area, we can look for results and we can look for aid. This is a major thing. It's not just the City of Chicago, but it's all people in the hamlets - small hamlets across this country, in this city, I mean, in this State - I'm sorry, that do not have

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hospitals or anything, but a trauma center - it could be close to them - will help them to save a life. I ask that you think in terms of helping to pass this bill. It is needed and it's going to help us all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Holmberg. Senator Jones. Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. To the sponsor. I, too, have some misgivings, I think, about the formula as it applies to downstate hospitals, but my question is not about that. I think that's been debated on the Floor already. My concern is for the overcrowding of emergency rooms now with people seeking primary care, and I'm wondering if the sponsor has considered a proposal that I hear has been floating around to include dollars within this bill for the community health centers for primary care, so that those people in need of that kind of service, would not have to be at the hospital's door. That proposal, as you know, was vetoed by the Governor earlier this summer in its eight-million-dollar form. In the supplemental this fall, at two million dollars, that proposal for community health centers was again vetoed by the Governor, and the motion to override in the House failed yesterday by just four votes. Is there any possibility of that being included?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. Senator Raica, you wish to respond? Senator Raica.

SENATOR RAICA:

Senator Holmberg, this we would like to consider as phase one, as far as financing goes, of the hospitals. I know what you're speaking about is a serious problem. I think one of the major problems that we have to go and respond to what you've said, is you have physicians throughout the State of Illinois that are

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using emergency rooms as their offices, and what's happening is, the patients that are brought in by the fire department and the ambulances, there's no room for them, because they're busy seeing other patients, in emergency rooms that are open as clinics. If you're asking is -- is a plan of ours in the other phase to address that problem, yes it is, and I would ask for your help with that, or I would be willing to work with you, just as I know Senator Savickas or Senator Smith would. And Senator Daley. That is one of the major problems that I hope comes out of the Summit, that is going to address the problems of emergency rooms used as clinics, but I hope that what we can get out of this Body first is something that we've heard a lot about, and the -- and that's the problem of patients not paying their bills. Those bills being passed on to the payers and keeping these trauma centers open and -- and yeah, you will have our help, as far as that's concerned.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Topinka, with respect to your -- your request. Senator Topinka.

SENATOR TOPINKA:

Yes. I -- I really am sorry that I've asked to speak a second time. I try not to, but I think all of us recall that last year we went through, you know, kind of a bitter debate in terms of the form of conference committees and how they should work so that they're valid and they're sound and everybody is in agreement, so that we make this place function in the fairest possible way. Well, to that -- and if I might make a -- a point of parliamentary inquiry -- pursuant to Rule 43, Section E, subsection 3, pursuant to that, I'd like to know if this Conference Committee Report is in compliance with the required number of signatures, because my paperwork here that I -- I have access to would indicate otherwise, and I'll tell you why. From the Secretary's Desk we have a list of those who were appointed to be conferees, and we

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show Savickas, Brookins, Daley, Watson and Hawkinson. Any yet, the -- the actual report shows Savickas, Margaret Smith, Daley, Ronan, Cullerton and Brunsvold. You need six valid signatures. Margaret Smith, according to the Secretary's Desk, was not appointed a conferee, and yet she has signed this, and Howard Brookins is missing in action. So I would ask for a parliamentary inquiry on this, as to whether these signatures are valid, 'cause it would seem to me you've only got five, when you need six.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well. While we are checking that. Senator Brookins, your light is on. Senator Brookins. Then we'll get - Senator Topinka, we'll come back.

SENATOR BROOKINS:

Thank you, Mr. President. I rise to ask the sponsor - Raica, I think it is - are your familiar with the traffic index enforcement for traffic enforcement? If not, you can ask Dudycz. What this actually is, this is where that in certain areas where they determinate that they need to - heavier enforcement of traffic laws and et cetera, that they put a concentration in that area to write more tickets and what have you. That's really what it is, and what I'm thinking is that this traffic enforcement is - or index, is always -- seems to be on the Dan Ryan and et cetera and in those areas, Senator Jones. So that if you go to traffic court, you will find that it's a heavier concentration of a certain population of the City of Chicago. I just want to remind you of that and that is what would be feared if something like this do pass. Also, I'd point out to you that the distance, Senator Smith, to travel to any of the trauma centers from the south side of Chicago, is -- is quite a distance, and if you needed a -- a Level I Trauma Center and if something ocured to you on the Dan Ryan, I could tell you, you would be dead. It would be all over for you. So I just wanted to point them things out, and I just think that

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we need to wait until the report comes in from the -- from the conference, so we could make a better decision on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Topinka, it's my understanding that the Secretary's Office has, in fact, received a -- the conferees of Savickas, Smith, Daley, Watson and Hawkinson, and that is the report that has been filed with the -- with the -- with the Secretary. Senator Topinka. Senator Topinka.

SENATOR TOPINKA:

Mr. President, I -- that -- that's nice, but could I see it? Because what I'm showing here from the Secretary's Desk would not show that. We -- we seem to be in disagreement. And it may just be paper, but, you know, I'd like to see it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(machine cutoff) After fifteen years, we'll send it down here and see what it looks like. Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I wasn't planning on speaking, but since Senator Brookins mentioned my name in debate, I'd like to just -- to respond to his statement. Senator Brookins, I was a Chicago police officer for thirteen years. I don't know how long you were, but I've never heard of a traffic index enforcement. Maybe you're talking about aggressive patrol. Maybe you're talking about something that they are talking - or -- or was mentioned as a quota system, but there was never - I know you didn't say - but -- but officially, as far as the Chicago Police Department was concerned, there was never a quota for tickets to be issued. Now maybe - you may be mistaking that with the aggressive patrol. Now as you also mentioned, the Dan Ryan Expressway and the other expressways. You know now that -- that the State Police enforces the State highways, including the expressways in the City of Chicago, so I don't know what their patrol procedures are, but I

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know that as a Chicago Police Officer, there were never any traffic -- index enforcement regulations, my knowledge.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, I'm not unsympathetic - in fact very sympathetic with the problems that have been outlined here, because frankly, I think to one degree or another, we all have them and the funding of hospitals and hospital trauma rooms are very, I think, important to each of us. But my concern here is that the distribution system - I might add, I'm not offended by the revenue generator either, but the distribution system makes me more than a little apprehensive, because I have a feeling that I could find myself sitting in a meeting in some town in my district, explaining to a crowd of my constituents that I voted for a bill that we get 3.4 percent of the money from our area back, and I would like very much to see some written document as to estimates of how much this is going to generate and who is it going to come back to. We have heard some very vague statements and frankly, until I see some sort of assurance that this is going to be fairly distributed to all parts of the State, I'm planning on voting Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, I'll respond ...(machine cutoff)... -- to Senator Topinka's inquiry. It is now my understanding from the Secretary's Office that the notification with respect to the change of Senator Brookins in lieu of Senator Smith, was done verbally. There is nothing in our rules that requires the form of the notification of the appointment process by the Committee on Committees. With respect to your other inquiry, it is beyond January the 30th - I'm sorry. It's beyond January the 1st into a new year, and therefore, it takes 30

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affirmative constitutional votes to - on the immediate effective date with respect to this Conference Committee Report. Senator Topinka.

SENATOR TOPINKA:

Just a question, again, a point of order, just for my own edification. Does not the Committee on Committees have to meet to make the decisions in terms of who is appointed, who is not appointed, who has changed and - I mean, I find it difficult to understand, and I don't want to belabor this, that this was done verbally, and it looks pretty hard and fast. Aren't you supposed to tell us when you do that? Aren't we supposed to find out in some way?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Topinka, the -- as long as I've been here, and in respect to our rules, the Committee on Committees has been exempt from the notification process, and therefore it has been the prerogative of those Members of the Committee on Committees on both sides of the aisle, after fifteen years, to do things in a quick and orderly and prompt fashion, and sometimes they do it orally. Senator Topinka.

SENATOR TOPINKA:

Traditionally though, we have received written notice of this, which I think is fair for both sides, you know, to do -- to just keep everybody informed. Are we starting a new tradition?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, it is my understanding that we have, over -- over the years, given notice on - with respect to who the conferees - have been appointed to both sides, and it has been notice in advance. There has been from time to time, oral replacements with respect to conference committee reports, in order to speed up the process. Senator Topinka. Without objection, I might add.

SENATOR TOPINKA:

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So therefore - so it's reflected in the record, therefore oral, verbal changes take precedence over the written form that we have been given, even when we're not informed of those changes being made.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator, I don't take it upon myself to preempt the Committee on Committees with respect to their -- to their business, and -- and therefore it just seems to me that in this particular instance, there is no referral to the form in substance and notification in our rules, and perhaps we ought to address that in the -- in the coming months. Senator Schaffer, do you have an inquiry? Senator Schaffer. You have your light on. Is there -- Senator -- All right. Is there further discussion? If not, Senator Savickas, you may close or -- Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President, I would request that Senator Raica close the debate on this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Sixty-five percent -- sixty-five percent of serious trauma persons who are seen in emergency room trauma facilities Statewide are those caused from motor vehicular accidents. Medicaid losses total fifty percent - fifty percent. Senator Topinka knows more than well that when a trauma unit closes or when another hospital closes, poor patients go to next closest hospital, and that hospital faces financial problems and that's what being seen in Senator Topinka's area. Senator Topinka also brought up that there's going to be a Health Summit that's going to giving their recommendations to us in April. If I look out the window and see it raining outside and I see the puddles, I don't

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need someone to tell me to get an umbrella. I know I'm going to get wet. The Governor said yesterday - and everyone said he did a fine job, at least most said he did a fine job - that if we're going to do something, we better show some kind of financial proposal or a funding mechanism. Ladies and Gentlemen of the Senate, we have done that here today in this Body. Senator Daley stated, in answer to a lot of questions, we've rushed things through the Senate. White Sox was done in two days. There were other bills in closing days of this Session, that were done in two days. We are talking here about someone's life, not about a baseball game, not about a park that's going to stay open, because the people who fill that baseball stadium, and the people who play in that park, are kids. This bill does not exclude kids. It does not exclude people. There's been a concern about downstate. What are they going to get? Right now we know that Statewide hospitals are losing money because of Public Aid patients, period. This is going to pick up the excess of that financing. We are going to rob Peter to pay Paul, Ladies and Gentlemen of the Senate, come April. What this proposal says is we are going to think about those that are causing the offenses, not the taxpayers of the State of Illinois, Ladies and Gentlemen. The innocent motorists that travel on rural roads, the City of Chicago, Cook County, DuPage County. We're not going to come back in April and pass a tax on these people, are we, when the summit says another hospital's going to close because we don't have money. And now this Body, in an infinite wisdom, has to come up with a funding mechanism to fund these people. The people from downstate have the most to lose, and I hope the people from downstate are listening to this. If one trauma unit or one Level II Trauma Unit closes downstate, and they have great distances to carry these people now, what's going to happen when that trauma closes then? Where are those people going to go? They're going to travel longer distances, because the

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trauma unit we could have saved with this proposal isn't going to be open. Senator Jones, I sympathize more that anyone with a trauma unit not in your area. I'm a paramedic. We are doing everything we can to work with the system. There's a comprehensive trauma network planned that's put in place as far as where units can go, but the first problem is - is you have to get hospitals to say, "we meet the criteria, we want to be a trauma center," and you know why they won't do that? Because they read the paper about USC closing because of financial problems. Because they read about Michael Reese who may, may with all probability, stay in the trauma network if we pass this. If we pass this piece of legislation. You know, I want to read to you something that was in the Sun-Times newspaper this morning. The headline, down on the bottom says, "Convicted Motorist's Plea" - and believe me, Senator Savickas or I or Senator Margaret Smith didn't beg this individual to put it in the newspaper. It just happened. "Convicted motorist's plea: don't drive, don't drink. I beg society, please don't drink and drive. It's instantaneous death. You're going to end up killing people, just like I did." This individual killed a young boy and a young girl. There's another thing that happened. People said it's unconstitutional, there's no relationship between someone who's driving when they're intoxicated or someone involved in a motor vehicle accident that's speeding recklessly. Well, Ladies and Gentlemen of the Senate, the judge hearing the case didn't think so. It says, "Former Traffic Clerk Cynthia DeAngelis, 32, and Deputy -- and Traffic Court Deputy, Padro Servantes, were each sentenced thirty months' probation and three hundred hours of community service. Guess where. In the trauma center. Where the judge said he might encounter victims of similar offenses. He might encounter victims of similar offenses. Drunk driving. We're going to charge them one-hundred-and-fifty-dollar fine, if they are convicted. If someone leaves the scene of the accident and

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hurts someone else, we're going to charge them a hundred and fifty dollars. You know, I have people calling my office and say they need their license reinstated, they want me to give them a letter because they were DUI offenders. I don't do that. I don't do that. If they were convicted, they were convicted.

END OF TAPE

TAPE 2

SENATOR RAICA:

If a trauma center closes in the State of Illinois because we failed to pass this legislation out of here, then the only quote I can give you is what the Governor said yesterday. "Put that in your campaign brochure, Republicans. Put that in your campaign brochures, Democrats." I ask for your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the Second Conference Committee Report on Senate Bill 1369? Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? This is the quietest it's been all day. Are you still thinking? Have all voted who wish? Last call. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 20, 11 voting Present. The Conference Committee, having failed to receive the required constitutional majority, is declared lost. Senator Savickas.

SENATOR SAVICKAS:

Postpone consideration.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes. I would move that we postpone consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas has asked leave of the Body to have put on Postponed Consideration. Postponed Consideration it shall be. Now we will go the Supplemental Calendar No. 1 that has been passed out. Supplemental Calendar No. 1. We are going to go to that order of business, but before we do, the Secretary informs me we have to go to Messages from the House. Madam Secretary.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has accepted the Governor's specific recommendations for change which are attached to a bill of the following title, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 158.

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

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

Senate Bill 1276, with House Amendment No. 1.

I have a like message with regard to Senate Bill 1466, with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The last two, Secretary's Desk. Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their

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Amendments 1, 5, 6, and 7 to a bill of the following title, to wit:

Senate Bill 731.

I have a like message with regard to the Second Conference Committee on House Bill 879, with Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator -- Senator Luft has moved that the Senate accede to the request of the House and that a Conference Committee be appointed.

SECRETARY HAWKER:

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

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

House Joint Resolution 80.

It is substantive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right. Messages from the House.

SECRETARY HAWKER:

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

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

House Joint Resolution 81.

It is congratulatory.

I have a like message on House Joint Resolution 83. Which is also congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. Supplemental Calendar No. 1 is on your desk. Secretary's Desk, Concurrence. Senator Jones.

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Senator Jones on the Floor? Secretary's Desk, Supplemental Calendar No. 1, is Senate Bill 1-2-7-6, Madam Secretary.

SECRETARY HAWKER:

House Amendment No. 1 to Senate Bill 1276.

PRESIDING OFFICER (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. I move to concur in House Amendment No. 1 to Senate Bill 1276. What the Amendment does is permit the University of Illinois to issue bonds so that they can build their own facility for the University Retirement System. This issue has been discussed. It did pass this Body once before, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there discussion? Discussion? If not, the question is, shall the Senate concur with House Amendment 1 to Senate Bill 1-2-7-6. 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? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does concur with House Amendment to Senate Bill 1276, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 1-4-6-6. Senator Welch, are you prepared to -- Madam Secretary, Senate Bill 1-4-6-6, please.

SECRETARY HAWKER:

House Amendments -- House Amendments 1 and 2 to Senate Bill 1-4-6-6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Senate Bill 1-4-6-6, is the Second

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1989 Revisory Act. The two amendments are necessary, in part. The first amendment contains the County Code, which is a large compilation of a rewrite of the County Code, in effect. The second amendment reinstates some provisions that had been mis-referred to in the First Revisory Act. The Acts themselves, I think are, about twelve pages in height. They haven't been distributed. I would be glad to try to answer any questions. Otherwise, I would move to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? Discussion? All right. If not, the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 1466. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur with House Amendments 1 and 2 to Senate Bill 1466, and the bill, having received the required constitutional majority, is declared passed. Specific Recommendations for Change. Senate Bill 158. Senator Luft on the Floor? 158. Senator Luft on the Floor? Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Mr. President, I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his messages of October 17, 1989, October 23, 1989, and the two messages of January 10, 1990.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Kelly, before we get to that, it's my understanding that the committee report has to be read in. Madam Secretary, Committee Reports.

SECRETARY HAWKER:

Senator Kelly, Chairman of the Committee on Executive

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Appointments, Veterans Affairs and Administration, to which was referred the Governor's Messages of October 17, 1989, October 23, 1989, and January 10, 1990, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICERS: (SENATOR DEMUZIO)

All right. Senator Kelly has moved that the Senate resolve itself into Executive Session. You have heard the motion. All in favor, indicate by saying Aye. All opposed, Nay. The Ayes have it. The Committee -- the Senate has now resolved itself into a Committee of the Whole, for the purpose of Senator Kelly's request. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. Mr. President, respect to the Governor's message of October 17, 1989, I will read the unsalaried appointment to which the Senate Committee on Executive Appointments, Veterans Affairs and Administration recommend that the Senate do advise and consent:

To be a Member of the Labor and Management Commission for a term expiring July 1, 1990, Dale F. Benson of Decatur.

Mr. President, having read the unsalaried appointment, I now seek leave to consider this appointment on one roll call, unless some Senator has an objection to this specific appointment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You have heard the request of Senator Kelly. Is leave granted? Leave is granted. Senator Kelly.

SENATOR KELLY:

Mr. President, will you now put the question as required by rules?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate -- does the Senate advise and consent to the nominations just made. Those in favor will

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vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. With respect to the Governor's Message of October 23, 1989, and January 10, 1990, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans Affairs and Administration recommend that the Senate do advise and consent:

To be a Member of the Illinois Commerce Commission for a term expiring January 15, 1990, and for a term expiring January 16, 1995, Lynn M. Shishido-Topel of Chicago.

To be a Member of the Illinois Commerce Commission for a term expiring January 17, 1994, Terrence L. Barnich of Springfield, and Ellen C. Craig of Chicago.

Having read the salaried appointments, I now seek leave to consider these appointments on separate roll calls, and ask that you combine the two appointments of Mrs. Topel on one roll call, in each consecutive order. So we'll have -- the order will be the three commission candidates. First commission -- Lynn Shishido-Topel for both -- two appointments, consecutively, and then we'll move separately to the other two candidates, and vote on them individually, and I'd ask leave for that, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You have heard the request of Senator Kelly. Is leave granted? Does anybody understand it? Leave is granted. Senator Kelly.

SENATOR KELLY:

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I am glad everyone understands that, and then I would ask you to proceed with these three individual roll calls, Mr. President, and put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question - Senator Kelly, on the first motion then, with leave of the Body, is to have Lynn Shishido for consecutive terms on this first roll call. That is all. The question is, shall the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 13, 5 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Senator Kelly now moves, with respect to Terrence L. Barnich. All right, this motion will be on Terrence L. Barnich. The question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 17, 2 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Kelly now moves, with respect to Ellen Craig as a nominee of the Illinois Commerce Commission on this roll call. The question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, 1 voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just

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made. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, Members. With respect to the Governor's Message of January 10, 1990, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans Affairs and Administration recommends that the Senate do advise and consent:

To be the Director of the Illinois Department of Agriculture for a term expiring January 21, 1991, John F. Rundquist of Butler.

To be the Director of the Illinois Department of Commerce and Community Affairs for a term expiring January 21, 1991, Steven D. McClure of Springfield.

And to be Members of the Illinois Human Rights Commission for a term expiring January 18, 1993, Mathilda A. Jakubowski of Downers Grove, Grace Kaminkowitz of Chicago, and Jarvis Williams of Chicago.

Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call, unless some Senator has objections to these specific appointments. Would you put the question as required by rules?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Are there any objections to the request as made by Senator Kelly? If not, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Kelly. Pardon me. Senator Newhouse, for what purpose do rise?

SENATOR NEWHOUSE:

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Thank you, Mr. President. Mr. President, I would like to ask leave of the Body to -- I inadvertently punched the -- button on the Commissioner Topel and voted Aye. I'd like to be recorded as Present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is leave granted? The -- the record will so indicate. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. With respect to the Governor's Message of January 10, 1990, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans Affairs and Administration recommend that the Senate do advise and consent:

To be a Member of the Capital Development Board for a term expiring January 21, 1992, John A. Janicik of Clarendon Hills.

To be Members of the State Board of Education for terms expiring January 16, 1995, Hugh R. Brown of Evanston and Dorothy J. O'Neill of Champaign.

To be a Member of the Illinois Community College Board for a term expiring June 30, 1995, Ercel D. Davis of Rapids City.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call, unless some Senator has objections to these specific appointments, and will you also put the question as required by rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is leave granted to consider all of these unsalaried on one motion. Leave is granted. The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. A majority of

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Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Kelly.

SENATOR KELLY:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

All those in favor of the motion will indicate by saying Aye. Opposed, Nay. The Ayes have it. The Senate arises from -- from Executive Session. While we at a lull, let's clean up some paperwork. Resolutions.

SECRETARY HAWKER:

Senate Resolution 748 offered by Senator Topinka.

Senate Resolution 749 offered by Senator Brookins.

Senate Resolution 750 offered by Senators Newhouse, Collins, Brookins, Smith, Alexander and others.

Senate Resolution 751 offered by Senator Brookins.

They are all congratulatory.

Senate Resolution 752 offered by Senator Topinka.

Senate Resolution 753 offered by Senators Daley and all Members.

Senate Resolution 754 offered by Senator Brookins, and

Senate Resolution 755 offered by Senator Lechowicz.

They are all death resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar.

SECRETARY HAWKER:

Senate Resolution 756 offered by Senators Brookins, Berman and Alexander.

Senate Resolution 757 offered by Senators Berman and Netsch.

And Senate Joint Resolution 116 offered by Senators Topinka, O'Daniel, Schaffer, Geo-Karis, Luft and Macdonald.

They are all three substantive.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. Introduction of bills.

SECRETARY HAWKER:

Senate Bill 1504 offered by Senator Lechowicz.

(Secretary reads title of bill)

Senate Bill 1505 offered by Senator Brookins.

(Secretary reads title of bill)

Senate Bill 1506 offered by Senator Hawkinson.

(Secretary reads title of bill)

House -- pardon me. Senate Bill 1507 offered by Senator Jeremiah Joyce.

(Secretary reads title of bill)

Senate Bill 1508 offered by Senator del Valle.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Rules Committee. Senator Vadalabene, for what purpose do arise, sir?

SENATOR VADALABENE:

Thank you, Mr. President and Members of the Senate. There will be Democratic Caucus immediately, in Room 212.

PRESIDENT ROCK:

All right. That request is in order. There will be a Democratic Caucus immediately in Room 212. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate. There will be a Republican Caucus immediately hereafter.

PRESIDENT ROCK:

All right. There will be a Republican Caucus immediately in Senator Philip's office. Democratic Caucus immediately in Room 212. I encourage everybody to please get there. We are making every effort to conclude our business today, and so the Senate

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will stand in recess for one hour for the purpose of these caucuses. So be back here at two-thirty.

RECESS

AFTER RECESS

The hour of three having arrived, the Senate will reconvene.  
Introduction of Bills.

SECRETARY HAWKER:

Senate Bill 1509 offered by Senator Luft.

(Secretary reads title of bill)

Senate Bill 1510 offered by Senators Jones, DeAngelis, President Rock, Senators Mahar and Holmberg.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Rules Committee. All right. For those who are wending their way from the House or from their offices, we will begin on Supplemental Calendar No. 2. 2 and 3 have been distributed, the Chair is informed. Supplemental 2 has the Conference Committee Report on Senate Bill 525 and Senate Bill 971. Supplemental 3 has 879, 731, 853 and 1402, and of course, on the main Calendar, we have 572. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes, Mr. President. I guess possibly it would be sort of wise if we could ring the bell to -- to let our Democratic people know that we are back in Session.

PRESIDENT ROCK:

I think they were over in the House watching the goings on. I am sure they will be back. (machine cutoff) Senator Luft, you

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have the first two items. Do you wish to pursue either or both? You have the first two items. You have 158. There's a motion to accept specific recommendations. If you'd indicate to the Chair, 1760 we could save a lot of time around here. Do you wish to call that? Good. Supplemental 1 is now done. 525. You wish to call that? All right. Ladies and Gentlemen. Senator Netsch, you are next with 971. Supplemental Calendar No. 2. On the Order of Conference Committee Reports is a Report with respect to Senate Bill 525, Madam Secretary.

SECRETARY HAWKER:

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

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Conference Committee Report on House Bill 521 <sic> simply increases the number of enterprise zones. It's the Governor's wish to increase that number by seven, and that's what the bill does. And I would move for the adoption of Conference Committee Report No. 1 to Senate Bill 525.

PRESIDENT ROCK:

Any discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 525. Those in favor will vote Aye. Opposed, vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. Senate does adopt the Conference Committee Report on Senate Bill 525, and the bill, having received the required constitutional majority, is declared passed. Supplemental Calendar No. 2. There is a Conference Committee Report on Senate Bill 971, Madam Secretary.

SECRETARY HAWKER:

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First Conference Committee Report on Senate Bill 9-7-1.

PRESIDENT ROCK:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The Conference Committee Report on 971 deletes everything that might have been a part of the bill at any earlier stage, and this particular provision then becomes the bill. It was determined that there was still one little bug involving the sales tax reform bill having to do with the changes in the Service Occupation Tax, and their applicability to pharmacists. This was just determined by the Pharmacists Association and the Retailer Merchants. They have been in discussion with the Department of Revenue, and this is a proposal agreed to by the Department of Revenue and those two groups, among others. Basically, it -- it enlarges the de minimus provision for pharmacists in the -- their reporting under the Service Occupation Tax component of the Reformed Sales Tax. It saves an enormous amount of paperwork on their part. It saves work on the part of the Department of Revenue, and auditing, and I think will save a lot of confusion on the part of taxpayers as well. I -- to the best of my knowledge there is no objection to it, and I would urge the adoption of Conference Committee Report No. 1 to Senate Bill 971.

PRESIDENT ROCK:

Is there any discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 971. Those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 971, and the bill, having received the required

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constitutional majority, is declared passed. Senator Jacobs, are you ready? Turn to Page 8 on the regular Calendar. There is a Second Conference Committee Report, Madam Secretary, on Senate Bill 572.

SECRETARY HAWKER:

Second Corrected Conference Committee Report on Senate Bill 5-7-2.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. 572 is the Riverboat Gaming Bill. This is a bill we have acted on three times before. It is a bill that has went to the House and never has really been agreed upon over there and to come back. We received 60 votes in the House. The House has passed Riverboat Gambling. We are now to discuss it. As I indicated to Pate earlier, I don't think it is a bill that needs to be debated a lot. We are willing to answer any of the questions in the changes, and let me just highlight those a little bit. Number one, I think the most important change in this thing is the change in the funding, which is now seventy-five percent to the State for the purpose of education, and twenty-five percent to the local governments, and also something that we found during the -- the hearings that we held during the summer - at the request of the Republicans to do - we -- we found at that time that there was a desire to give the local option a little stronger discussion. What we have done, we have changed the language to allow the local governing body, whether it be a city or whether it be a county, to authorize up front where Riverboat Gambling will be in that community, so it gives a little more control. Those are the two major changes. There are some other minor changes. There are some that have just been brought to my attention that were

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inadvertently -- there is some may -- there is a "may" that should have been a "shall," and that's in regard to the second year of the licensing, and that should have been a "shall." It's a "may." It's something that I hope we can clean up at a later date. Also, at the request of the Governor there was a attempt to -- an attempt -- there was wording put in that would allow for expenses to be paid and be appropriated from the proceeds. Those are -- that's basically the highsights. Let me just state one thing before we get into perhaps a lot of rhetoric. I think it was Everett Dirksen who once said, "I have listened to a lot of speeches that have changed my mind, but none that have changed my vote." And I don't think that there is one individual on this Floor that right now does not have their mind made up. I would urge an Aye vote.

PRESIDENT ROCK:

All right. Senator Jacobs has moved the adoption of the Conference Committee Report -- Second Corrected Report on Senate Bill 572. Is there any discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 572. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Take the record. On that question, there are 31 Ayes, 22 Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 572, and the bill, having received the required constitutional majority, is declared passed. Supplemental No. 3. Ladies and Gentlemen, Supplemental No. 3 has been distributed. Senator Schaffer, on 8-7-9. Senator Schaffer. Senator Jacobs, you've got another bill coming up. Senator Joyce and Senator Lechowicz. Supplemental 1. Okay. 879. Senator Schaffer. Madam Secretary, on the Supplemental No. 3 there is a

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Conference Committee Report with respect to House Bill 879, please.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 879.

PRESIDENT ROCK:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President, this is a -- I think, a fairly non-controversial bill. It clarifies that all Members appointed to the Board of Governors shall serve a six-year term. It adds the opt -- optometry -- I can ever pronounce that -- Optometry Schools to the list of schools that may receive grants under the Health Service Education Grants Act, and it provides for staggered terms for members elected to the Board of the new Community College District that was recently created in the Bloomington area. I know of no opposition.

PRESIDENT ROCK:

Discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 879. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 1 Nay, none voting Present. Senate does adopt the Conference Committee Report on House Bill 879, and the bill, having received the required constitutional majority, is declared passed. Madam Secretary, there has been a request to go back to Supplemental 1 for Motion in Writing to Accept Specific Recommendations for Change. If I can have your attention, Ladies and Gentlemen. There has been a request from both sides of the aisle to go back to Supplemental No. 1 for the purpose of acting upon a Motion to Accept the Specific Recommendations for Change with respect to House Bill 158. Read the motion, Madam Secretary,

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please.

SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to House Bill 1-5-8 in manner and form as follows:

Amendment to House Bill 158 in

Acceptance of Governor's Recommendations.

Filed by Senator Luft.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that we accept the Amendatory Veto of the Governor to House Bill 158. The Governor removed portions of the bill that were already contained in other legislation, and it clarifies that when a violation complaint is issued by a municipal police department, the circuit clerk shall be entitled to a ten-dollar fee for costs when associated with minor traffic ordinance violations. This has to do with DuPage County, and as I stated earlier, I would move for the adoption of the Governor's Amendatory Veto.

PRESIDENT ROCK:

All right. Senator Luft has moved to accept -- or moved that the Senate accept the specific recommendations of the Governor. Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 158 in the manner and form just stated by Senator Luft. Those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, none voting Present. Senate does accept the specific recommendations of the Governor as to House Bill 158, and the bill, having received the required constitutional majority vote of Senators elected, are declared

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accepted. Conference Committee Report on 731. Senator Jacobs. Madam Secretary, please. Supplemental Calendar No. 3, Ladies and Gentlemen, on the Order of Conference Committee Reports. There is a Report with respect to Senate Bill 731, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 731.

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 731 is a little bit of a Christmas tree bill. It's a local government omnibus bill. It contains many of the provisions contained in the previous report such as Volo Municipal Incinerator language, municipal contracts, downstate park district fines, and property tax exemption for downstate forest preserves, all which have previously passed the Senate. Several are included in another bill that did not include an immediate effective date. This report does include an immediate effective date, and I ask for your support.

PRESIDENT ROCK:

Discussion? Is there any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. If I might ask the sponsor one question.

PRESIDENT ROCK:

Sponsor indicates he will yield.

SENATOR NETSCH:

Senator Jacobs, does this include a provision that deals with the pulling out of the pension costs on property tax bills?

PRESIDENT ROCK:

Senator Jacobs.

SENATOR JACOBS:

I wish it did, but no, it does not.

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PRESIDENT ROCK:

Senator Netsch.

SENATOR NETSCH:

Thank you. So that as far as you know, that point has not been taken care of in any place then. 'Cause I think it was going to be on this bill, if at all.

SENATOR JACOBS:

Thank you. It was to be on this bill. We were told there was no possible way that the House would support that, so we weren't able to get it on this bill. I have introduced legislation to fix that in the future, but for this time we are going to be in trouble on that bill, as far as I am concerned.

PRESIDENT ROCK:

Discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 731. Those in favor will vote Aye. Opposed, vote Nay, and the voting is open. Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 731, and the bill, having received the required constitutional majority, is declared passed. On the Order of Supplemental No. 3, there is a Conference Committee Report with respect to Senate Bill 1402, Madam Secretary. Read the -- Madam Secretary, please.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 8-5-3.

PRESIDENT ROCK:

No. Please, 1402 is what I called.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1402.

PRESIDENT ROCK:

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Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Conference Committee Report No. 1 on Senate Bill 1402 deletes everything after the enacting clause. It increases the income eligibility cap for the State's circuit breaker program for senior citizens' real estate tax deferral program by four thousand dollars. It raised it from fourteen thousand to eighteen thousand, and it would permit county boards to establish by ordinance a quarterly billing system for the collection of property taxes. That's the content of 1402, and I would encourage an Aye vote.

PRESIDENT ROCK:

Discussion? Senator Rigney.

SENATOR RIGNEY:

Like to have a question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Rigney.

SENATOR RIGNEY:

Now under this circuit breaker program, is that immediately operative? In other words, would it be for this year?

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

Senator, as you know, the circuit breaker program is a two-part program that assists lower-income citizens sixty-five or older and disabled. Persons to pay their property tax through a direct state grant. It would be effective 1st of January, 1990. Correct.

PRESIDENT ROCK:

Senator Rigney.

SENATOR RIGNEY:

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What that means, as I understand, the Department of Revenue has already communicated with seniors. The forms have been out, and now we are going to attempt to make it operative in this year rather than next year. Is that correct?

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

That is correct, and rest assured, Senator, the senior citizens have been waiting for this program, and through the senior citizens' voice and other communications that the senior citizens have, believe me, they will know the effective date, and I believe that the Department, at a very minimal cost, can make the adjustment and change in their forms.

PRESIDENT ROCK:

Senator Rigney.

SENATOR RIGNEY:

Well, I think the Department maybe feels, Senator Lechowicz, that the cost will not be minimal, and apparently, the Revenue hit for the extra four thousand dollars is going to be somewhere upwards of about forty million dollars. So we are talking about forty million dollars that I guess is not going to go into the school systems or other state expenditures in the upcoming year. As we listened to the Governor yesterday, I think he made it clear to us that the only source of additional spending this year is just the new dollars that are going to flow in, based upon the present revenue structure. There isn't going to be any windfall this time, and here we go with a -- at least a moderately expensive new proposal that's coming in here at the last minute, really too late to be implemented for this year.

PRESIDENT ROCK:

Further discussion? Senator Watson.

SENATOR WATSON:

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Thank you. Question of the sponsor, please.

PRESIDENT ROCK:

Sponsor indicates he will yield, and the sponsor will have a chance to respond in closing. Indicates he will yield, Senator Watson.

SENATOR WATSON:

Thank you. Are you familiar, Senator, with the Pharmaceutical Assistance Program?

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

Yes, sir. I am.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

Under your bill, will now those people who are between the income average or income of fourteen to eighteen thousand, will that now be -- those people be eligible for the Pharmaceutical Assistance Program?

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

The answer is no.

PRESIDENT ROCK:

Senator Watson.

SENATOR WATSON:

I am sorry, but I don't see that spelled out in the bill. Can you show that to me where that is spelled out in your legislation?

PRESIDENT ROCK:

Senator Lechowicz.

SENATOR LECHOWICZ:

The only thing we are affecting is the eligibility cap, and

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according to the Illinois Economic and Fiscal Commission, the increase income eligibility cap would cost the State approximately a high of twenty million dollars each year, but this would add approximately sixty thousand participants to the program. This report does not increase the other components of the circuit breaker program. It only expands its eligibility. This is an item that we discussed last year. We were discussing possibly raising it from fourteen to twenty-five, but the Governor said twenty. We are down to eighteen -- fourteen to eighteen thousand. Now if you are concerned about the effective date, I am sure that the Governor, in his amendatory veto, if the Department of Revenue really has a tough time with this provision, can change the effective date of this bill as well. As well as its income -- or its impact on the fiscal system of this State. This is a good circuit -- this is a good program aiding the circuit breaker program, and it hasn't been expanded a good number of years, and I would strongly encourage an Aye vote.

PRESIDENT ROCK:

Further discussion? Is there any further discussion? Senator Lechowicz, you wish to close?

SENATOR LECHOWICZ:

Thank you, Mr. President. I think I just did. I encourage an Aye vote.

PRESIDENT ROCK:

All right. The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1402. Those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? All voted who wish? Take the record. On that question, there are 33 Ayes, 15 Nays, none voting Present. Senate does adopt the Conference Committee Report on Senate Bill 1402, and the bill, having received the required

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constitutional majority, is declared passed. I beg your pardon. All right. That request is in order. I am sorry, I was not expecting that. All right. Senator Rigney has requested a verification. Will the Members please be in their seats. Madam Secretary, please read the affirmative roll.

SECRETARY HAWKER:

The following Members voted in the affirmative: Berman, Brookins, Carroll, Daley, DeAngelis, del Valle, Demuzio, Dudycz, Thomas Dunn, Fawell, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Karpel, Kelly, Kustra, Lechowicz, Mahar, Marovitz, Netsch, O'Daniel, Raica, Rea, Savickas, Severns, Smith, Vadalabene, Welch, Zito and Mr. President.

PRESIDENT ROCK:

Senator Rigney, do you question the presence of any Member?

SENATOR RIGNEY:

J.E. Joyce.

PRESIDENT ROCK:

Senator Joyce is seated at my right.

SENATOR RIGNEY:

Oh.

PRESIDENT ROCK:

Surprisingly enough. That's an in - joke, really.

SENATOR RIGNEY:

Senator Rea.

PRESIDENT ROCK:

Senator Rea. Senator Rea on the Floor? I think he is in the telephone. Is Senator Rea on the Floor, please? Senator Rea is on the phone. All right. The roll has been verified. There are 33 voting Aye, 15 voting Nay, none voting Present. Conference Committee Report on Senate Bill 1402, having received the required constitutional majority, is declared passed. Resolutions, Madam Secretary.

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SECRETARY HAWKER:

Senate Joint Resolution 117.

(Secretary reads Senate Joint Resolution 117)

PRESIDENT ROCK:

You got a copy of this? He does not. All right. This is the adjournment resolution. It calls for us to return on the day of the budget at eleven-thirty in the morning -- or eleven in the morning. The House has got about twelve perfunctory days built in. Senator Demuzio, on Senate Joint Resolution 117. Tell us when we are coming back, Senator Demuzio, under this. Senator Demuzio.

SENATOR DEMUZIO:

Hello. Thank you, Mr. President. It indicates, I guess, we are coming back March the 6th at twelve o'clock noon.

PRESIDENT ROCK:

No.

SENATOR DEMUZIO:

It does not. How about March the 7th at eleven-thirty? All right.

PRESIDENT ROCK:

I don't know. It -- it seems relatively simple to me. It says that when the Senate adjourns on Thursday, January 11, which is today, it stand adjourn until Wednesday, March 7, at eleven o'clock -- period. Whatever the House does, frankly, who cares? Senator Demuzio.

SENATOR DEMUZIO:

Well, I hope the voice box picks it up that it was your voice saying that and not mine.

PRESIDENT ROCK:

And for the record, I'll identify myself, right. Go ahead.

SENATOR DEMUZIO:

I move to suspend...

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PRESIDENT ROCK:

My name is Senator Luft and I am from Pekin.

SENATOR DEMUZIO:

I move to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 117.

PRESIDENT ROCK:

All right. Senator Demuzio has moved to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 117. All in favor of the Motion to Suspend, indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Senator Demuzio now moves the adoption of Senate Joint Resolution 117, which calls for the Senate of the State of Illinois to return to Springfield on Wednesday, March the 7th, at eleven o'clock a.m. The Governor has requested to deliver the Budget Address at noon, so we will get here at eleven. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. All right. Ladies and Gentlemen, the Resolutions Consent Calendar has been distributed. It is rather lengthy. Any objections been filed, Madam Secretary?

SECRETARY HAWKER:

There have been no objections filed.

PRESIDENT ROCK:

None...(machine cutoff)...All right. There have been no additions, so I would ask the Members to just peruse the Resolutions Consent Calendar, and Senator Demuzio will move the adoption of the Resolutions Consent Calendar, as distributed to the Members. All in favor of the adoption of these resolutions, indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. There was one resolution which was

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not on the Consent Calendar. It is substantive. It has been cleared with Senator Karpziel. It is Senate Resolution 757. I would like to move to discharge Senate Resolution 757 from further consideration of the Executive Committee, so that it can be placed on the Calendar for immediate action. This deals with memorializing Congress with respect to the prepayment of federally subsidized mortgages, just to identify the subject matter.

PRESIDENT ROCK:

All right. Senator Netsch has moved to discharge the Committee on Executive from further consideration of Senate Resolution 757, and asks for its immediate consideration and adoption. All in favor of the Motion to Discharge, indicate by saying Aye. All opposed. The Ayes have it. Committee is now discharged from consideration of 757. All right. Now before the Body is -- is Senate Resolution 757. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The Resolution urges Congress to look favorably upon, and find ways to help preserve, the stock of affordable housing that is reflected in programs throughout the State of Illinois that were originally subsidized by HUD under 221d3 and 236 Mortgage Subsidy Programs. They are now in danger of being undone, if you will, by prepayment of those subsidized mortgages, and in several paragraphs, the Resolution asks Congress, please, to try to find ways to help preserve this stock of affordable housing by extending the prepayment periods and other actions. It is a problem, by the way, that is common to all parts of our State. It is not just a Chicago problem, and it is a very, very significant one in terms of affordable housing. I would move the adoption of Senate Resolution 757.

PRESIDENT ROCK:

All right. Senator Netsch has moved the adoption of Senate Resolution 757. Is there any discussion? If not, all in favor,

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indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Any further business to come before the Senate. Further announcements? Further anything? If not, Senator Vadalabene moves the Senate, pursuant to Senate Joint Resolution 117, stand adjourned until Wednesday, March the 7th -- Wednesday, March the 7th, at the hour of eleven o'clock, Ladies and Gentlemen. Have a safe trip home. See you all in March. Senate stands adjourned.

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