

STATE OF ILLINOIS
88TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

77th Legislative Day

July 13, 1993

PRESIDENT PHILIP:

The hour of eleven having arrived, the Senate will please come to order. If the Members will please rise, and our friends in the gallery please rise, for the prayer. Today the prayer will be given by Senator Adeline J. Geo-Karis of Zion, Illinois. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer given by Senator Geo-Karis)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journal of Monday, July 12th, in the year 1993, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Butler moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 82, offered by Senator Philip. It's substantive, Mr. President.

PRESIDENT PHILIP:

Committee Report.

SECRETARY HARRY:

Senator DeAngelis, Chair of the Committee on Revenue, reports that House Amendment 5 to Senate Bill 100 Be Approved for Consideration.

Senator Hawkinson, Chair of the Committee on Judiciary, reports that the First Conference Committee Report to Senate Bill 273 Be Approved for Consideration, and First Conference Committee Report to Senate Bill 483 Be Approved for Consideration.

Senator Watson, Chair of the Committee on Education, reports

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that the First Conference Committee Report to House Bill 508 Be Approved for Consideration.

And Senator Madigan, Chair of the Committee on Insurance, Pensions and Licensed Activities, reports motion to non-concur in House Amendment 2 and concur in House Amendment 3 to Senate Bill 420 Be Approved for Consideration, and the First Conference Committee Report to House Bill 1974 Be Approved for Consideration.

PRESIDENT PHILIP:

Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, 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 641.

I am further instructed to deliver to you the objections of the Governor, which are contained in the attached copy of his letter to the House of Representatives.

Adopted by the House, July 12, 1993, by a three-fifths vote.

PRESIDENT PHILIP:

We've had a request from WAND-TV to tape our proceedings here. Is leave granted? Leave is granted. Senator Hall, for what purpose do you rise? Well, your light's on anyway, Kenny.

SENATOR HALL:

I'll turn it off.

PRESIDENT PHILIP:

It's what we call a false alarm. ...(microphone cutoff)...had another request from WCIA-Channel 3 Champaign, Illinois. Is leave granted to tape the proceedings today? Leave is granted. Senator Syverson, for what purpose do you rise?

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SENATOR SYVERSON:

Thank you, Mr. President. I just want to announce that Senator Burzynski is celebrating his thirty-eighth birthday today, and there's cake over here. And for those of you who'd like to have part of the frosting that has the name in it, with a name like Burzynski, it goes across the entire cake; so there's enough for each person to get one letter. So Brad will be cutting the cake, and feel free to stop over and have some.

PRESIDENT PHILIP:

Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

On a point of personal privilege. First of all, we would like to congratulate Senator Burzynski on his birthday and wish him many more. And he's very conservative. The cake is there, and the pieces will be very small. And, Mr. President, on another point of personal privilege, our chief of staff, whom I've known for fifteen years, is celebrating his forty-first birthday today, trying to get the business of the Senate paperwork in order, and that's none other than Carter Hendren. We want to wish him a very happy and healthy birthday, filled with love and prosperity and happiness.

PRESIDENT PHILIP:

Thank you, Senator Geo-Karis. In self-defense, Senator Burzynski.

SENATOR BURZYNSKI:

Thank -- thank you, Mr. President. Point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR BURZYNSKI:

Just to echo Senator Geo-Karis' birthday wishes to Carter Hendren, and to thank this legislative Body, hopefully not

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prematurely, for adjourning on my birthday, an appropriate birthday gift.

PRESIDENT PHILIP:

Page 10, in the middle of the page, on Conference Committee Reports, Senate Bill 290. Senator Fawell. Senator Fawell. Mr. Secretary.

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 290, Mr. President.

PRESIDENT PHILIP:

The Chair recognizes Senator Fawell.

SENATOR FAWELL:

Thank you very much, Mr. President. This bill does three things. First, we passed the bill originally 59 to -- 56 to nothing. It's a Department of -- of Rehabilitation Services clean-up bill. When it got over to the House, it got two amendments added to it. One increases from six to twelve the number of supportive residential homes that can be licensed in the City of Chicago and adds language to specify that nothing in the Act shall be construed to preempt municipal zoning ordinances. And this is supported by the Public Health Department, and it is the donation from the non-for-profit corporation that provides care for persons with AIDS. The second part of it amends the Illinois Act on Aging to require, by Statute, the Department of Aging to increase grant amounts through the Community Care Program so that the reimbursement rates paid through the program for chore housekeeping services and homemaker services are at the same rate, which will be the higher of the two rates currently paid. This is agreed language, both by the City of Chicago and by the Department of Aging. I will be glad to answer any questions, and I solicit your Aye vote.

PRESIDENT PHILIP:

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Any further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in support of this legislation. It's a great bill. It has been worked out. And I encourage all of our fellow legislators to support this legislation by voting for it -- Yes.

PRESIDENT PHILIP:

Thank you, Senator. Senator Stern, what purpose do you rise?

SENATOR STERN:

Will the Lady yield for a question?

PRESIDENT PHILIP:

She indicates she'll yield. Senator Stern.

SENATOR STERN:

I apologize, Senator Fawell. I was discussing lunch with someone when you began, and I missed the first part of this. These supportive dwellings - so-called - are these CILAs, or are these only supportive dwellings for individuals with HIV?

PRESIDENT PHILIP:

Senator Fawell.

SENATOR FAWELL:

These are the homes for the HIV. Right now the City has six, and -- and I would like to put in the record, by the way, that when we are talking about residential homes, that doesn't mean that when we are talking about twelve homes, that we are talking about twelve agencies that could have a -- a number -- a large number of homes. We are talking about twelve separate homes, period. Because there does seem to be some question about that. But these are -- these are the -- in effect, like the hospice homes for the -- the victims of AIDS.

PRESIDENT PHILIP:

Senator Welch, for what purpose do you rise?

SENATOR WELCH:

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I had a question of the sponsor.

PRESIDENT PHILIP:

She indicates she'll -- she'll yield. Senator Welch.

SENATOR WELCH:

Senator Fawell, what your bill is doing is setting up residential facilities throughout the State of Illinois for persons -- it's not -- is it only applying to Chicago? Because our analysis says it deletes the limitations that the residences can only be established in Chicago. Are you saying it still applies only to Chicago?

PRESIDENT PHILIP:

Senator Fawell.

SENATOR FAWELL:

The bill, as -- as brought back by the conference committee, only applies to the City of Chicago. I have worked with some of the people from the City of Chicago on this bill. The original bill did, indeed, allow these homes to be placed throughout the State. This is limited to the City of Chicago. And also, at the request of the City, it's -- it falls underneath their zoning laws.

PRESIDENT PHILIP:

Further discussion? If not, Senator Fawell, to close.

SENATOR FAWELL:

I ask for your favorable vote.

PRESIDENT PHILIP:

Thank you, Senator Fawell. The question is, shall the Senate adopt Conference Committee No. 1 to Senate Bill 290. All those in favor, signify by saying -- voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 57 Ayes, no Nays, no voting Present. The Senate does adopt Conference Committee Report No. 1 to Senate Bill 290, having received the constitutional majority,

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is declared passed. We're next going to go to Senate Bill 869, but we're going to have a Committee Report read into the records first.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: To the Committee on Appropriations - Conference Committee Report to Senate Bill 617; to the Committee on Environment and Energy - Conference Committee Report to House Bill 1821; re-referred from the Executive Committee to the Committee on Rules - Senate Joint Resolution 82; and Be Approved for Consideration - Conference Committee Report to Senate Bill 522 and Senate Joint Resolution 82.

PRESIDENT PHILIP:

Thank you. We've also had a request from WFLD-TV, Illinois Information Service and Channel 20 to tape our proceeding. Is leave granted? Leave is granted. All right. Senate Bill 869. Senator Severns. Mr. Secretary.

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 869.

PRESIDENT PHILIP:

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I would like to request a Second Conference Committee Report. So I would hope that we could defeat the first.

PRESIDENT PHILIP:

Is there any objections? If not, so ordered. All right. I'm sorry. The question is, shall the Senate adopt Conference Committee Report No. 1 on Senate Bill 869. Those in favor, signify by saying Aye -- voting Aye. Those opposed, vote Nay. The voting is open. Have you all voted who wish? Take the

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record. On the question, there are 3 Ayes, 32 Nays, 1 voting Present. The Second <sic> (First) Conference Committee Report is not adopted, and the Secretary -- shall inform the House. ...(microphone cutoff)...Bill 899. Take it out of the record. House Bill 300. Senator -- oops. Excuse me. Senator Mahar. Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

Thank you, Mr. President. For a point of personal privilege.

PRESIDENT PHILIP:

State your point.

SENATOR CRONIN:

I'd like to make an announcement, and draw the attention of the Body to the gallery over the Republican side. Over here, over my right shoulder, is an esteemed group of Italians from Milan, Italy - young Italian students visiting the State of Illinois, and they're guests of Representative Saviano and myself. And I wanted to ask the Body to give them a big, warm, Italian round of applause, with Senator DeAngelis leading the way. Please.

PRESIDING OFFICER: (SENATOR DeANGELIS)

(Speaks Italian) Senator Cronin.

SENATOR CRONIN:

I just wanted to extend an invitation to all Italian-American Senators to join us on the Senate Floor after we adjourn for a picture with these Italian students. Senator "Cronini" and others will be on hand. So please, join us.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Thank you, Senator Cronin. Mr. Secretary, do you have on file a Conference Committee Report on House Bill 300?

SECRETARY HARRY:

Second Conference Committee Report on House Bill 300, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

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Chair recognizes Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and Members. House Bill 300 is the result of months of arduous work, involving the rewrite of the State's Underground Storage Tank Program, as well as two other initiatives. I'll attempt to go through and explain it. It extends the motor fuel tax of three cents for twenty years, to sunset at the year 2013. It'll generate seventeen -- about 17.2 million dollars a year. There are about sixty-eight to seventy million dollars in a -- in backlog on reimbursements for remediating these sites. With this money we plan to sell a hundred and ten million dollars in -- in a general obligation bond. It'll be in the authorization bill to come up later today. We hope to eliminate the backlog within two years. Secondly, it sets up a three-tiered ranking system for the level of cleanup required. Sites will be prioritized as "High Priority," "Low Priority," or "No Further Action." Only High Priority Sites, estimated to be fifteen percent of the reported releases, will be required active remediation; Low Priority, which is forty -- forty-five to fifty percent, will require groundwater monitoring only; No Further Action Sites will not require any remediation. The agency review process will be streamlined such that the new clean-up review and reimbursement approval will be completed within a hundred and twenty days. Sites that are cleaned up to the minimum standards receive a -- rebuttable presumption against liability. Nonemergency sites may opt to defer corrective action. This has no window in the bill, as previous, which means the eligibility and deductibility remain the same, except that the Office of the State Fire Marshal will have jurisdiction over this area now. Creates two -- two demonstration projects. Another element outside of the underground storage tank issue is a part of the bill which is supported by all State -- all the State's

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business organizations, as well as environmental groups. It provides funds from an agreed-upon fee schedule to assist Illinois businesses to get into compliance with the federal Clean Air Act. Increased State fee -- State air permit fees are to generate 2.3 million dollars. Approximately twenty-six hundred Illinois companies must get new air permits starting in '95. Through modification to existing State air permits, approximately sixteen hundred of these companies can avoid federal programs, potentially saving Illinois industry forty thousand dollars. The final point is the addition of the Subtitle D language, which had already passed this Chamber with substantial -- a substantial majority. It provides the necessary language for Illinois to pursue partial or full approval of the U.S. EPA Subtitle D Program, which is the municipal solid waste landfill regulations. Federal Subtitle D requirements will become effective on October the 9th of this year. Facilities in states that do not have federally approved program by October the 9th must comply with the inflexible federal program; consequently, the business communities are in -- in support of this. The fees will -- will raise about 1.7 million, which will be used to -- implementation of the project. In addition to the Illinois EPA, also the -- the Municipal Solid Waste Management Association, Waste Management, and the like, are all in complete support. I would happy -- be happy to try and entertain any questions, Mr. President.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of House Bill 300 and the Conference Committee Report. I know many of you throughout the Senate, in your districts, have faced those problems with private property owners who have tried to deal responsibly with an underground tank

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cleaning -- clean-up problem in -- in your district. And I think what this legislation does and what you want to take back to your constituents is, first of all, we've got a funding mechanism here that's going to reimburse those people that have already spent tens of thousands of dollars already, trying to be in compliance, and their bank no longer is loaning them money to continue with their clean-up procedure. That's the first element, and there will be money in the fund to reimburse those private property owners who are trying to comply with the law. Secondly, and equally important, is we've brought some common sense into the process of cleaning -- cleaning up a contaminated underground storage site by putting into place a three-tiered system that will prioritize the risk to public health and safety. And it will take into consideration the soil type, for one thing - as you know, clay soil doesn't transmit contaminants nearly as readily as sand does - and also will take into fact -- or into consideration the location, proximity to a -- a public water source or well. So finally, after about two years of work and negotiation between the interested parties, and engineers, and -- and certified waste haulers, and the Environmental Protection Agency, we have a commonsense approach that prioritizes the risk involved in these sites so we can target the dollars to the real necessary programs that need to be cleaned up, and finally, we'll stop bankrupting private property owners in this State, where originally under the old program, the cost to clean up a site far exceeded the value of the property. And I think you'll find that lenders will again lend on property; Realtors will again be able to sell property. We'll be able to get a clean closure letter from the Environmental Protection Agency, and we'll be able to move forward and get the serious problems cleaned up, at a much more affordable cost to the private property owner. It's a good bill. It's a good compromise. It's environmentally sound. It takes care of the

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serious problems that need to be in this State, and it gets the issue resolved in an efficient and an affordable manner. I stand in strong support and urge all colleagues on both sides of the aisle to vote Yes on House Bill 300.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield? Yes...

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will yield.

SENATOR CULLERTON:

I understand that the bill distinguishes between audit reviews and full reviews by the Illinois EPA. What's the difference, and why is this done?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. There is a significant difference. In the case of site evaluations and groundwater monitoring plans, the bill authorizes an audit procedure. In these cases, the dollars expended are relatively low and the steps required are fairly well-defined and repeatable from site to site. Engineers can certify as to the appropriateness of the proposal and associated costs. The bill requires the Pollution Control Board to adopt regulations directing how the audit procedure should work. As envisioned, the IEPA would formulate model plans or benchmarks against which incoming plans would be compared. The incoming plans would have a cover sheet that provides basic information so that the agency could screen the plans and select those that are out of the norm for audit. The audit rate would be selected that balances limited Agency resources with assurance that inflated proposals would be targeted for review.

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

What about in the case of corrective action plans? Would fifteen percent of the sites...

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Mahar.

SENATOR MAHAR:

I'm sorry. In the case of corrective action plans - about fifteen percent of all sites - the dollars are much higher, and the plan elements more varied. In these cases, the Agency would be required to review each plan. Again, the Board would adopt regulations.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

I note that the bill targets indicator parameters for cleanup. How does this relate to groundwater standards?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Mahar.

SENATOR MAHAR:

The indicator parameter concept is designed to assure that expensive analysis is limited to those chemicals that are released by the product in the leaking tank. For example, if the product is gasoline, we would look for benzene, and BTEX, which is a combination of chemicals. We then look for those levels that are in excess of the Class I groundwater standard. For those specific compounds, the Board will ultimately define the indicator parameters. This is a petroleum cleanup and -- and reimbursement program. The fund has enough strain attempting to pay for petroleum cleanups, without looking for contamination that may have been caused by other problems, or is naturally occurring. We

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anticipate the Board will focus on this intent in adopting regulations.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

I notice that there is a deferred action concept and a provision by which the Agency can deny the option to defer. How will the Agency make those decisions?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Mahar.

SENATOR MAHAR:

We anticipate that the Agency will be reasonable in making such decisions. If the Agency determines that the site poses a threat to human health or the environment, they can deny a request to defer action. The Agency is well aware of the problems encountered by our constituents not being reimbursed in a timely manner. We expect that they will limit denials to those cases in which a real demonstration of -- of a problem is evident.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Cullerton.

SENATOR CULLERTON:

Who gets the two demonstration projects?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Mahar.

SENATOR MAHAR:

That is yet to be determined.

PRESIDING OFFICER: (SENATOR DeANGELIS)

"El Senatori" Demuzio.

SENATOR DEMUZIO:

(Speaks Italian) Thank you very much, Mr. President. I too rise in strong support of -- of this bill, and frankly, I will associate my remarks of -- with Senator Sieben. I think it's a --

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a bill that is longtime over -- overdue for those of us who live in the rural communities, particularly for people who have moved into old filling stations, who are unsuspecting that there were, in fact, underground storage tanks, that got caught, that lost their life savings. And -- and -- with this bill, I think perhaps we should have left it at six-tenths of a gallon, rather than three-tenths of a gallon. But three-tenths is before us; we're extending it, and I would rise in support of it.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will yield.

SENATOR WELCH:

Senator Mahar, could you -- you explained that naturally occurring problems would not be taken care of if they're discovered when repairing a tank, I believe, in response to one of Senator Cullerton's questions; that they would -- you would only be looking for benzene and other gasoline components. Number -- do you remember that answer to Senator Cullerton? Could you explain to me what you mean by naturally occurring? Is that something that occurred by a neighboring gasoline station or a neighboring business? Would that be naturally occurring?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Mahar.

SENATOR MAHAR:

I'm advised that the answer to that is that it would -- whatever would be there naturally, if -- in the event the tanks aren't there.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

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SENATOR WELCH:

Well, I'm not sure I understand what that means. You're saying that if -- if you dig into the ground and nature -- by nature, some pollution problem was already there, it won't be cleaned up. Is that what you're saying?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Mahar.

SENATOR MAHAR:

Well, this is -- the basis for this bill is a risk-based system that is definable to the leak in that particular tank. And if there's something else there that may be contaminating the soil, not involved in this particular leak, then that would come under a separate set of circumstances and criteria other than this legislation.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

SENATOR WELCH:

Senator Mahar, does this open up a window for anybody who didn't qualify and apply for being in the risk pool, prior to -- I think it was June of 1989?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Mahar.

SENATOR MAHAR:

The requirements for both eligibility and deductibility remain exactly the same. The only changes in that provision is that, as opposed to the IEPA governing it, it will be reviewed now by the Office of the State Fire Marshal.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

SENATOR WELCH:

Well -- well, why are you taking the authority away from the EPA?

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PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Mahar.

SENATOR MAHAR:

The Office of State Fire Marshal is -- is better equipped to go out to the site and apprise the owner of the level of contamination on site, so there are no surprises at the time. And the IEPA agrees with that.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

SENATOR WELCH:

Well, Senator, I'm not criticizing you, but it's getting to be ridiculous that we have an environmental problem, and yet the Fire Marshal goes out there to take care of it. I mean, we've got -- you know, if it's an underground tank, it's the Fire Marshal; if it's a spill above ground, it's the State Police HAZMAT officers. Where does this end? I thought the name of the agency was Environmental Protection Agency. Apparently, that means nothing, because when a lot of these businesses want to get around the strict requirements of the EPA, they pick the Pollution Control Board, the Fire Marshal, the State Police, somebody other than the EPA, to deal with an environmental problem. It makes absolutely no sense. So, that's my two cents' worth.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dunn.

SENATOR R. DUNN:

Thank you, Mr. President. I wonder if the sponsor would yield for a question.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says he will yield.

SENATOR R. DUNN:

Senator Mahar, in earlier versions of the House Bill 300, I think there's something about exempting tanks pre-1972 or '74. I

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don't see that in our synopsis here. Is that still in?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Mahar. Senator Mahar.

SENATOR MAHAR:

The -- the requirements for registration have not been changed. They remain the same.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dunn.

SENATOR R. DUNN:

So this means that pre-1974 tanks are not exempt. Is that what you're saying?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Mahar.

SENATOR MAHAR:

They are exempt.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Dunn. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I rise to speak in favor of this bill. I've got constituents that have been plagued by onerous costs, and this bill provides funding for the backlog of claims and standards which will make site cleanups less expensive. I mean, after all, we want to keep people in business. We can't keep them in business if we're going to have onerous costs. And I think this bill is fair, and I support the Fire Marshal's input in it. After all, this refers to some things that can be very volatile. And I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President, Members of the Senate. I rise to inform everybody, for the record, that I do have a conflict of

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interest with the provisions of House Bill 300, but I will be voting my conscience. Thank you.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? Any further discussion? Senator Mahar, to close.

SENATOR MAHAR:

Thank you, Mr. President. In regards to the problem we have had in the State of Illinois with remediating leaks from underground storage tanks, I don't think I have to go into that. When we have a seventy-million-dollar backlog, obviously we have a problem. As far as Senator Welch's comments, the Office of the State Fire Marshal is involved in a very small opening instance in determining the eligibility and deductibility of a site. The EPA is involved in the entire gamut, as far as ensuring that the remediation is done and providing the rebuttable presumption at closure. At this point, I would like to -- I'd like to thank all those who have been involved in this -- in bringing this bill - this final package - to the Senate: the IMA, Illinois Chamber, Illinois Petroleum Council, Chemical Industry Council, Illinois Steel Group, the Illinois Environmental Council, the Sierra Club, the Chicago Lung Association, the Illinois Petroleum Marketers, the Illinois Bankers and the Illinois Automobile Association. And I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 300. Those in favor, 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 the question, the Ayes are 57, the Nays are 0, those voting Present are 0. The Senate does adopt the Conference Committee Report on House Bill 300. And the bill, having received the required three-fifths majority, is declared passed. For what

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purpose does Senator Geo-Karis seek recognition?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege. In the gallery, upstairs to the right, are two people who are probably the most talented people I have ever known, Reverend Tim and Jane Allen, from Zion, Illinois, who are pastoring now up in Naperville, which is represented by my colleague here, Chris Lauzen. And I wanted to say that our loss in Zion is Naperville's gain, because Tim and Jane are not only wonderful, spiritual people, but also excellent musicians. And I ask you to welcome them and their sons, Chris and Ben, to the astute Body of the Senate.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Will our guests -- please rise and be recognized. Mr. Secretary, do you have on file a Conference Committee Report on House Bill 991?

SECRETARY HARRY:

First Conference Committee Report on House Bill 991.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The Chair recognizes Senator Trotter. Senator Trotter? Take it out of the record. Mr. Secretary, do you have on file a Conference Committee Report on House Bill 1587?

SECRETARY HARRY:

First Conference Committee Report on House Bill 1587.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The Chair recognizes Senator Fawell.

SENATOR FAWELL:

Thank you very much. This was a -- a bill that started out as a noncontroversial bill, and I think it still remains one. It amends the road improvement impact fee Section, and -- and it allowed to have a minor adjustment once a year by the County of DuPage - and that passed without any problem. Then it went to the

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House and it -- it came back, and new language has been added by the Secretary of State to -- issue special event license plates in excess of two hundred pairs and for a period of more than sixty days. What it is, is the Secretary of State wishes to issue the Chicago Bulls license plates, with the proceeds, minus eight-and-a-half-cent -- percent cut to the NBA, to go to the Little City Foundation, which works with the mentally retarded, the Down's Syndrome and the autistic children. Right now, he could only print two hundred. Hopefully, this will raise enough money to take care of our retarded children. And then, there was also another language that tightens up the provisions in the Vehicle Code. This language states that out-of-State car dealers now have to obtain a permit to display their vehicles at sites in Illinois, like in-State auto dealers are -- are obligated to do. This was requested by the New Car Dealers. This is regarding the tent sales. Apparently some of our out-of-State dealers are coming in and setting up tents and then leaving. I'll be glad to answer any questions, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam -- Mr. President - sorry - and Members of the Senate. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Sponsor says she will yield.

SENATOR JACOBS:

Senator, as you are aware, I -- I signed this Conference Committee Report, and I'm not really opposed to it, but I have some -- some questions. First of all, I think, in your debate, you mentioned that the license plates are good for more than sixty days. According to our Conference Committee Report, on page 3, it says, "shall be valid for no more than 60 days prior to the date

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of expiration", which to me still says they're good for only sixty days, which is not a -- a major issue, but I think they're only good for sixty days. Is that correct?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Fawell.

SENATOR FAWELL:

Yes, it is. It's -- it's only sixty days.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Jacobs.

SENATOR JACOBS:

Well, the only other question I have -- I have one other question, and then I have a -- a comment I'd like to make. First of all, does the Secretary of State, or does the State of Illinois, have to pay a fee to the Chicago Bulls? And if they don't have to pay to the Chicago Bulls, is there an inherent franchise fee to where the -- the league gets seven and a half percent; therefore, we are, with this, assisting the professional basketball league? Is that correct?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Fawell, will you answer her <sic> question?

SENATOR FAWELL:

Yeah. This is no different, really, than any other charity. The NBA is the one that gets the -- the percent -- percentage cut, and that's just standardized contracts, when -- when the Bulls sign. The Bulls aren't making any money on this. In fact, my understanding is, a number of the Bulls players plan on -- on buying the plates. They're very attractive, by the way. I can't show them to you, I've been told, but -- but they've got big bulls on them, and they're very outstanding.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Jacobs.

SENATOR JACOBS:

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So, if -- if one wanted to -- to stretch the argument, however, because seven and a half percent is going to the National Basketball Association, one could say that these plates are not going to not-for-profit, but, in fact, are going to help subsidize a for-profit organization. Is that correct?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Fawell.

SENATOR FAWELL:

Yeah. It's -- it's -- it does subsidize the National Basketball Association. Unfortunately, that's -- that was in the original franchise contract. It's -- it's no different than, you know, when we -- we use airlines or that type of thing for the same programs.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Jacobs.

SENATOR JACOBS:

Just -- just one comment, and -- and -- and, Senator, I'm -- I'm going to urge those on this side of the aisle to -- to give an Aye vote, but -- but I would hope that each and every one of us in this Body - as an example, my -- my charity of choice is Parents Too Soon - that if something happens in the future, and we want to provide special plates for some charity in -- in our community, I would hope that this Body would be as ready and as -- as able to provide us with -- with that same privilege that is given to the Secretary of State here. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Welch.

SENATOR WELCH:

Yes. It seems to me that we could avoid this totally. Senator -- or Secretary of State George Ryan wants to raise money for a charity of which he's a co-chairman of: Little City. Now we passed a bill twice that says we're going to have inserts in

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State mailings for charitable organizations, instead of the Citizens' Utility Board mailing. Why don't we just tell George to make the first mailing for Little City, and we won't have to pass this bill?

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any further discussion? Senator Fawell, to close.

SENATOR FAWELL:

Well, thank you very much. Although, I -- I personally have watched the Bulls on -- on rare occasions, I know I happen to have some sons that are ardent Bull fans. We did have a very unique situation in the -- in the State of Illinois, where our Bulls won three championships, and we indeed should be proud of this. The Bulls are -- have been very gracious in allowing us to use their logo on these plates. Unfortunately, although there was an attempt to convince the NBA that it would be a good idea to allow us also to use these without any kind of a -- of a percentage of the plate, we were not able to do this because of contracts. Certainly all of us know about Little City. It is a -- it is a very unique and a very great organization. It has been run in the State of Illinois very proudly by various Catholic organizations. I think it is a -- a organization that reserves -- needs our -- our help at this time to take care of our unfortunate citizens. I don't see that anybody could have any problem with a bill such as this, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DeANGELIS)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 1587. Those in favor, 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, there are 53 Ayes, 1 voting Nay, 2 voting Present. The Senate does adopt the Conference Committee Report on House Bill 1587. And the bill, having

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received the required three-fifths majority, is declared passed. We will now move to page 9, Order of Concurrence. Senator Farley, on the Order of Non-Concurrence, Senate Bill 706. Is there a motion on file?

SECRETARY HARRY:

Yes, Mr. President. I move to concur with the House in the adoption of their Amendments No. 1 and 2 to Senate Bill 706.

Filed by Senator Farley.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Farley.

SENATOR FARLEY:

Thank you, Mr. President, Ladies and Gentlemen of the House. I would move to non-concur with House Amendments 1 and 2 to Senate Bill 706 and ask for a conference committee.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Farley has moved to non-concur in House Amendments 1 and 2 to Senate Bill 706. All those in favor, say Aye. Opposed, vote No. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Barkhausen.

SENATOR BARKHAUSEN:

Thank you, Mr. President. I'm rising to request a change of sponsorship on -- on Senate Bill 617 from myself to Senator Maitland, and would ask leave of the Body.

PRESIDING OFFICER: (SENATOR DeANGELIS)

That motion is in order. You have leave. On page 10, on the Order of Non-Concurrence, is House Bill 2062. And Senator Watson would like to have yield -- Mr. Secretary, please read the bill.

SECRETARY HARRY:

Senate Amendment 3 to House Bill 2062.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Senator Watson would like to have leave, as hyphenated sponsor, to handle this bill. Senator Watson.

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SENATOR WATSON:

Yes. Thank you, Mr. President. I'd like to refuse to -- to recede from Senate Amendment No. 3 to House Bill 2062 and ask for a conference committee to be called.

PRESIDING OFFICER: (SENATOR DeANGELIS)

Any discussion? Senator Watson moves that the Senate refuse to recede from the adoption of Senate amendments to House Bill 2062 and that a conference committee be appointed. All those in favor, say Aye. Opposed, vote Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House.

PRESIDING OFFICER: (SENATOR DONAHUE)

Page 9 of your Calendar, under the Order of Secretary's Desk, Concurrence, is Senate Bill 1105. Senator DeAngelis. Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1105, with House Amendment No. 1. I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1105.

Filed by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. I move that the Senate concur with House Amendment No. 1 to Senate Bill 1105. Senate Bill 1105 is the different categories of licenses and the changing of the fees for the Liquor Control Commission. However, the major -- the majority of the bill - which has been discussed previously and rather at great length - involves other fees, and I will have Senator Rauschenberger, who worked with Senator Severns on this task force, to explain the rest of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

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SENATOR RAUSCHENBERGER:

This -- this bill was extensively debated and discussed in its component parts last week. I stand ready with Senator DeAngelis to answer questions. It was the product of a -- an extensive task force that worked very hard on these fees. I would stress that these are fees; they're agreed to, in almost -- in all cases by the industries that are affected, and I would request a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

Yes. Thank you, Madam Chairman, Ladies and Gentlemen of the Senate. Again, I -- I -- I rose to -- to speak against this the last time the bill come up. And I think there's been some changes since the last time, which probably means that the fees should not be -- be put in, and that the funding should go directly to these departments. The argument that was given the last go-around was, in order to keep the parks open, in order to do some certain things, these revenues had to be raised. Well, the Governor and the BOB decided that there was around fifty-five million dollars more that we had available to spend for this year's budget. Why was this -- Senator, why was this activity and -- and what the -- the -- these fees are to be used for -- why were they not then presented to be funded out of that fifty-five million dollars that the Governor and the BOB found in additional revenues? I think it destroys the argument of the necessity of fees. Fees are -- are to be used in order to police an activity, and we don't know if that's truly a relationship or not. But if, in fact, it is not, why were they not considered in a funding source, other than a fee increase? 'Cause again, we get into the increase in taxes, of whether we want to call them a fee increase, or what we want to call them. Could you at least give us some insight as to why we

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-- we did not include that into that fifty-five million dollars of found money, and then not have to do another increase in taxes, which will also hit the senior citizens?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger

SENATOR RAUSCHENBERGER:

Senator, to answer some of those questions: number one, this bill has not been changed since last time it was presented; number two, as to the Governor's location of fifty-five million dollars, he hadn't called and told me that, but that's interesting to find out. But I certainly think you would agree, we don't want to use General Revenue funds to pay for the licensing of liquor wholesalers, or liquor retailers. It certainly wouldn't make sense to me for us to use General Revenue funds to pay for agricultural lab fees, when out-of-State universities request our -- our bovine lab to do research for them. It certainly wouldn't make sense to me, anyway, for us to use General Revenue funds to help the -- the appraisers in their professional regulation. If you go down the list of these fees, these fees are designed to impact the users and to enhance the benefits they're getting from the State of Illinois. If we do, in fact, have fifty-five million additional in General Revenue, I think that's wonderful, and I think we can pay some old bills with it, or use it in other programs. But I don't think it's appropriate to suggest that we use General Revenue funds to pay for fish hatcheries.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Well, I don't disagree with that, Senator, and I think -- excuse me -- that anyone who has dealt with these license fees knows there should be a direct relationship between the cost of the fee and what it costs to police that. We have some in here

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that we have no idea; they're new. We don't know if -- if that's a true increase or not. I don't really have a lot of qualms with that portion of it. My concern still falls within the area of the Conservation. Is that still in there, and are we still going to charge people to go to parks? Are we still going to increase the -- the license fees on our senior citizens? Those are the questions I want to find out. The other portion, I don't have any qualms with, and I agree with you that we should not expect General Revenue funds to fund those activities, and I agree with that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Senator Jacobs. Yes, the Conservation fees are still included. The Conservation fees are -- are targeted, as I understand it, from the -- from the Department, at making sure that we have adequate activity in our fish hatcheries, to make sure that future -- in the future, when people do fish in the State of Illinois, there are going to be fish available to them. These are -- these are fees that are designed to stimulate and control and regulate the hunting and the fishing in our State parks, and that's where the -- the fees are basically tied to. There are no admission fees to the parks in the State of Illinois included in this bill at all. And for your information, in case you were going to ask again, the Boy Scouts are eliminated; church groups are eliminated; there's nothing on canoes. Yes, in fact, it does still retain the provision for a half-price license for senior citizens. If they're going to take fish from our streams, and our lakes, and our rivers, I think that they, probably, as a group, would be happy to contribute to making sure that there's fish for their grandchildren.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Senator Jacobs.

SENATOR JACOBS:

Well, just in closing, and I don't want to belabor the issue, but I think that, again, in -- in response to whether or not General Revenue funds should be used to make sure that we have fish for the next generation, my response to that is, yes, I think that they should be used. So, that -- that's not an issue with me. I just wonder if we're just getting to the point -- we've seen it with Live and Learn; we saw with the cigarette tax yesterday. Here's another fee increase. How much of that is directly going back to the person who is paying the fee? Unlike the -- the -- the analogy yesterday of the motor fuel tax: If you drive on the roads, you must buy gas, and therefore, you're going to help the roads. That's a different analogy, but some of these user fees, I'm not sure how directly related they are to the activity that they're going to perform.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR HENDON:

Senator Rauschenberger, I just need to know: are the disabled -- now have to pay these fees also? That was originally in the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

POWs and disabled veterans are exempt from the camp -- okay. Disabled citizens, disabled veterans, and POWs pay no camping fees. That -- that is correct. They're still exempted in the

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camping fees part of this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Are there other fees that the disabled are no longer exempt from in the bill, other than the camping fee? And while...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

To the best of my knowledge, I'm informed reliably, that there are no fees for the disabled in this -- in this fee package.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Okay. Well, when I read it previously, I saw that there were; that the disabled would pay a two-dollar admission -- a two-dollar fee, and I -- I -- I have a problem with that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I apologize for that -- that slight oversight there. Yes, the -- disabled individuals would have to pay a two-dollar utility connection fee, if they backed up to a campsite which used electricity, or used utilities provided by the park, as everyone else would. That is correct, but they're not charged for the -- the campsite.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Well, I -- I really believe, and even though I do have a problem with the senior citizens' exemptions being wiped out, but I truly have a problem with the disabled having to pay any -- any

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tax at all, and I -- I -- I really think that that should not be in the bill. My other question is on the local parks, because -- is that still in the bill, where City of Chicago parks people would have to now pay fees for the activities in the City of Chicago parks?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I -- I'm -- I'm advised that the two-dollar utility fee is not part of this legislation; that that's an administrative rule that the Department has through JCAR that's been enforced consistently all along. So this -- this legislation does not change the two-dollar fee. And the question -- will -- will you repeat the question very quickly on the Chicago parks?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

...(microphone cutoff)...Chicago parks included in this fee package?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

No, to the best of my knowledge, Chicago Park District, or Chicago City parks would not be included. This is for State facilities. If a State facility is located in the City of Chicago, it would be included, but these are -- this is for the State parks and the State recreation areas. I -- I can't tell you whether you have a State park, or -- I wouldn't know.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Well, in conclusion, because the way I read it, the Chicago

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parks would be able to implement fees or taxes under this, and I just feel like, we looked out for granny yesterday and now we're making sure that granny stays in the nursing home, because she won't be able to go anyplace because now she's going to have to pay these fees and these taxes. And we just can't help granny with one hand, and hit granny over the head with the other hand. So I'm going to vote No.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Madam President. On the bill: I think this is a good point of reference to, once again, stop and see what we're doing here in the State of Illinois, with regard to fee increases, and the entire budget. In Fiscal '92, we took a hundred and twenty-four million dollars from special funds in this State and drove them in the General Revenue Fund and never paid that back. This fiscal year, we took another eighty-five million from various dedicated funds, drove it into General Revenue funds, never paid it back. Now, we have a bill here that's going to increase fees on ninety-five various fees - those very funds that we've been hitting to increase the fees. So what we're doing is we're robbing Peter to pay Paul in the State of Illinois. And this bill is exactly repaying all that money that we've been hitting in these dedicated funds, because this is how we budget under this administration. I submit to you that this bill now, according to my numbers, brings us over a half a billion dollars in fees and taxes, and all the various, sundry items that we have done in less than twenty-four hours. I would say that this is the type of budgeting practice that is going to catch up with Illinois taxpayers and our children and their children. Thank you very much.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Further discussion? Senator Woodyard.

SENATOR WOODYARD:

Thank you, Madam President and Members of the Senate. I'll preface my remarks, which are going to be very similar to what I said last week, when this bill was first before us. But in a preface, we had a breakfast meeting this morning of the Executive Board of the Legislative Sportsmen's Caucus. This was discussed. And by the way, my remarks -- we still need some more Senate Members as members of the Legislative Sportsmen's Caucus. So any of you who are not members, I certainly encourage you to join with us. This particular bill certainly was discussed. And -- and I will address my remarks only to the Conservation fee increase portions of the bill. This didn't just happen overnight. It came up well over a year ago, and I remember Senator Rock standing on the Floor of this Chamber a year ago in support of the Conservation fee increases that this Body did pass out more than a year ago, calling these fee increases a moderate increase, which we happen to think that they are. This last spring, there was a convention here in Springfield, in this Capitol Building, of a newly formed Conservation Congress. Two delegates were elected from every Senate District. A hundred and eighteen people met here in Springfield, and guess what their top priority was -- ranging a broad gamut of people from environmental people to -- to sporting people, from fishing and hunting groups? And their high priority item was the fact that we needed to increase some of our fees in order to establish better habitat, to increase the output of our State fish hatcheries. And as a result of that, these were the fees that they recommended. This became a very high priority with your own Illinois Legislative Sportsmen's Caucus, in which we also agreed that this is a user-fee system, and that -- that it's supported by every sporting group in the State, as well as environmentalists. And with those remarks, I would certainly

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encourage your support on Senate Bill 1105 on concurrence.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. I too rise in support of this bill. Along with Senator Rauschenberger and others, we tried to negotiate a bill, working with the organizations and groups affected, but the simple reality is: This bill is necessary as a part of the long-awaited and long-negotiated budget agreement. We've all wanted to depart Springfield so we could go back home to our districts. This bill helps permit us to do that, and I think it's a fair bill and one that -- especially if you have a downstate park or a park in your district that's been closed, that you've been hoping to open, or a historical preservation site that has been closed, or the hours have been diminished that you hope could be extended, this bill will help make it happen. I would hope that as many Members on this side could join me in voting Aye.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hasara.

SENATOR HASARA:

Thank you, Madam President. I think the most sensible part of the bill is the fact that the gem that we have here in Springfield - the Dana Thomas House - will now be able to charge fees and remain open for longer hours. Whether you agree with it or not, the State has spent a lot of money purchasing and restoring the Dana Thomas House, and I do think you would all agree that it is a gem that the State of Illinois owns. Like most of you, I have visited other sites - Lloyd Wright sites - around the country and have paid up to ten dollars to get into some of those sites. So I think we would all agree that, from the Department of Historic Preservation, this definitely makes sense.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Seeing none, Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

I'd like to thank Senator Severns for rising in support, as well as Senator Hasara and Senator Woodyard. I'd like to close by just pointing out a couple of things. Number one, you're not voting this time -- you're not voting with this bill to increase a two-dollar utility fee for senior citizens or disabled people in parks. That's an administrative rule, and -- and I offer right now, with Senator Hendon, to cosponsor legislation with him to overturn that, if he'd like, next Session, because I do think that that doesn't make a lot of sense, and that was not the intent of this bill. I'd like to point out a couple of things to Senator LaPaille, and I appreciate his pithy comments. I'm certainly not in support of raiding dedicated professional funds, but I'd like to point out that the one -- the fees we're increasing here do not directly relate to the fees to the dedicated funds from which -- under past General Assemblies there have been raiding. In his past life as a -- as a chief of staff over in the other Chamber, he must know specifically what dedicated funds were raided, and it is not these dedicated funds. So just wanted to correct that misperception. We're not putting money into these dedicated funds so they can be raided in the future. Hopefully, Gary LaPaille and I will spearhead a drive for us to be more responsible on the budget. We'll watch carefully his votes on taxes. I'd also like to point out to everyone that this -- this agreement -- this -- this fee bill was the distillation of almost forty pieces of legislation down to -- to these agreed bills, and I appreciate the work that Senator Severns put into it. And I'd just like to close by asking everyone for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

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This is final action. The question is, shall the Senate concur in House Amendments No. 1 to Senate Bill 1105. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 13, those voting Present are 2. The Senate does concur in House Amendments No. 1 to Senate Bill 1105, and the bill, having received the required three-fifths majority vote, is declared passed. On Supplemental Calendar No. 1, at the top of the page, is Senate Bill 100. Senator DeAngelis. Mr. Secretary. Oh, Madam Secretary.

ACTING SECRETARY HAWKER:

House Amendment No. 5 to Senate Bill 100.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Madam President. When Senate Bill 100 left this Body, it was designed to prohibit a home rule unit of using a tax -- based on volumetric - meaning that gallonage taxes can only be used for gasoline. The bill went over to the House. The House decided to put an amendment on, which would, in fact, bring this tax in the City of Chicago - the pop tax - in compliance with the agreement made in 1988. And essentially what it does, it allows the City to impose, as other home rule units can, a tax in quarter-percent increments, up to three percent of the selling price, on the soft drinks; and then on the syrup for the fountains, to charge a tax of nine percent of the cost price, to be collected directly by the supplier and remitted to the municipality. It gives the Department of Revenue a short skim, in order to defray the costs of this collection. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

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Is there any discussion? Any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Would the speaker yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield.

SENATOR HENDON:

Senator DeAngelis, how much money is this tax going -- expected to raise?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, first of all, when this tax -- if it goes into effect, the other one is abolished. So, it is revenue-neutral, or close to revenue-neutral. And I don't think anybody has a good handle, but somewhere around eight million dollars, I think, is what the current tax is expected to collect. This one is expected to collect the same amount. This...(microphone cutoff)...

PRESIDING OFFICER: (SENATOR DONAHUE)

Any -- any further discussion? Senator Hendon.

SENATOR HENDON:

I -- I'm sorry, but I was unable to hear...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR HENDON:

...his explanation about how it's revenue-neutral, if it's going to cost eight -- if it's going to raise eight million dollars, does it cost eight million dollars to administer it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

No. And I apologize if it was unclear. This tax would replace the current one which is in effect. Soda pop tax. Okay?

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It's not an additional tax; it replaces. Can't have both of them.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Senator Butler.

SENATOR BUTLER:

Thank you, Madam President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis?

SENATOR BUTLER:

Senator DeAngelis, as I understand it, the State of Illinois is going to collect this tax and remit it to the City of Chicago?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Butler.

SENATOR BUTLER:

Just a commentary. I'm going to vote for this, but I think whatever genius in the past came up with the idea that the State of Illinois should be a tax collector for the City of Chicago, we should stop that -- that terrible habit, because if Chicago wishes to impose a tax, they ought to have the -- have the courage and the ability to collect it. I'm going to vote for it, but this is an idea I really do not like.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Seeing none, Senator DeAngelis, to close.

SENATOR DeANGELIS:

Thank you, Madam Chair. And this tax only applies to the City of Chicago, Senator Butler. And it is on the same base, and it's only on the gross sales. It does not collect the tax on the fountain syrup. I urge an Aye vote.

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PRESIDING OFFICER: (SENATOR DONAHUE)

This is final action. The question is, shall the Senate concur in House Amendment No. 5 to Senate Bill 100. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 <sic> (51) Ayes, no -- 5 Nays, and none voting Present. The Senate does concur in House Amendment No. 5 to Senate Bill 100, and the bill, having received the required three-fifths majority vote, is declared passed. ...(machine cutoff)...the top of page 2 of Senate Supplemental Calendar No. 1 is Senate Bill 420. Senator DeAngelis. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 3 to Senate Bill 420.

Signed by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Madam President, I would like to split the question and move to non-concur with Amendment No. 2, first, which is an amendment that was disapproved in the Insurance Committee this morning.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis now moves to non-concur in House Amendment No. 2 to Senate Bill 420. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator DeAngelis. Madam Secretary.

ACTING SECRETARY HAWKER:

Amendment No. 3 to Senate Bill 420.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

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Thank you, Madam President. Amendment No. 3 amends the Plumbing License Law and replaces it with an amendment to the same law to provide that the publisher of plumbing advertising is not required to verify the accuracy of the license number submitted while advertising. The burden lies upon the person that's placing the ad to ensure that they do have a number, and that they give that number accurately.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Jacobs.

SENATOR JACOBS:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Our analysis shows that on House Amendment No. 3, that the -- there is an agreement now, is that correct - the Plumbing Association is now in agreement with the provision of this Amendment No. 3?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs. Senator Tom Dunn.

SENATOR T. DUNN:

Thank you, Madam President. I just rise and ask for support from this side of the aisle on this bill. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Will the sponsor yield?

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PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shaw.

SENATOR SHAW:

Does this Amendment No. 3 sort of repeal the original version of this bill, where that the newspaper was held accountable? Does Amendment No. 3 repeal that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, Senator Shaw, number -- Amendment No. 3 actually becomes the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

So -- yeah -- now the newspapers are no longer liable, and the person who's placing the ad is the only one that's liable. Is that right?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator DeAngelis.

END OF TAPE

TAPE 2

SENATOR DeANGELIS:

The newspaper still must insist that the advertiser submit the number. But if the person lies about the number, it's the responsibility of the person that lied, not the newspaper.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further discussion? Seeing none, Senator

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DeAngelis, to close. The question is -- Senator DeAngelis moves to concur in House Amendment No. 3 to Senate Bill 420. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, and none voting Present. The Senate does concur in House Amendment No. 3 to Senate Bill 420, and non-concurs in House Amendment No. 2 to Senate Bill 420. And the Secretary shall so inform the House. On the Order of Conference Committee Reports, we have House Bill 508. Senator Sieben. Madam Secretary.

ACTING SECRETARY HAWKER:

First Conference Committee Report on House Bill 508.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Conference Committee Report No. 1 has the House concurring with the Senate in Amendments 1, 2 and 3, and with those amendments, the remaining bill contains the following provisions: the authorization for Mt. Morris School District to donate its school building and real property to the City of Mt. Morris upon the district's dissolution; also, number two, makes technical changes in language concerning the operation of the Community and Residential Services Authority; number three, it allows districts to count sessions of three or more hours as days of attendance, if at least two additional hours of that day are used for in-service training or parent-teacher conferences; number four, requires the City of Chicago subdistrict councils and the Board of Education to file reports on the progress being made towards achieving the goals of Chicago school reform; and number five, it makes persons enrolled in youth education programs sponsored by the Illinois National Guard eligible to take the GED

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exams. And then, the -- language removes that Section dealing with two or more districts located in the same municipality to hold consolidated referendums - was requested we remove it from the bill. And further, the report would amend the bill to provide that a school nurse certificate may be issued to persons with a bachelor's degree from an institution of higher learning accredited by the North Central Association or other comparable regional accrediting associations. And finally, it adds language that would allow school districts to claim reimbursement of up to a thousand dollars per child, or eight thousand per teacher, for home or hospital instructional services provided to non-special education students. And it adds some clarifying language dealing with the subject of coterminous territory. And I would move for the adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Art? I -- I will yield to Senator Berman.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. I rise in support of this bill. For clarification, a analysis dated July 1 is the proper analysis of -- of this bill. And I want to compliment the sponsor for cleaning up several areas that were in this bill when it was before us earlier that were less than desirable, and I stand in support of House Bill 508, Conference Committee Report.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further discussion? Seeing none, Senator Sieben, to close. The question is, shall the Senate adopt Conference Committee Report on House Bill 508. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee Report on House Bill 508, and the bill, having received the required three-fifths majority, is declared passed. House Bill 1974. Senator O'Malley. Madam Secretary.

ACTING SECRETARY HAWKER:

First Conference Committee Report on House Bill 1974.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam -- Madam President and Members of the Senate. The Conference Committee Report to Bill 1974 added a number of provisions, which I'd be pleased to respond to any questions that may be raised from the Senate. However, I do want to say that 1974, as it passed the Senate, amended the Medical Practice Act to authorize visiting physicians to perform medical technologies. I'll only highlight a couple of -- or actually three of them that I would like to highlight - additions included through the conference committee process. The first is an amendment to the Unified -- Unified Code of Corrections and the Juvenile Court Act to permit, in counties where community service programs exist and resources are available, that the court may order a sentence for vandalism to consist of community service of not less than one hundred hours and not more than two hundred and forty hours. This -- the original language for this addition to the Conference Committee Report came from House Amendments 1 and 2 to Senate Bill 614. Additionally, there's an amendment to the Crime Victims Compensation Act to allow the court to order direct payment of an award to another person if that person has provided services, product or accommodations. The provisions of this language originated from Senate Bill 614. Lastly, I'd like to point out

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that there's an amendment to the Fiscal Note Act to provide that a fiscal note must be filed when a bill would expend State revenues, either directly or indirectly. It defines "indirect revenues" as increased revenues resulting from economic development, job creation or cost reduction. It requires the Fiscal Note Act to explain the methodology used to determine cost. The language for this provision came from Senate Amendment 2 to House Bill 317. Again, I'm prepared to address questions that may come from the Body.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Madam President. Senator O'Malley, if I might pose a question. The Comptroller had made some requests about putting in some language into this -- into this bill, and it never got in there. And I was curious as to -- if you could explain to us what's the reason why.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator, thank you for bringing that up, and I'm glad to clarify that for everybody. The -- the request regarding the Comptroller's language came at a time when I indicated to you that I'd be -- I'd be more than happy to entertain it. As you may or may not know, I am not a member of the conference committee on this particular bill. And the language that you're requesting ended up not being included. However, I think it's important for you to note that at the time you made the request of me, this bill had already -- the Conference Committee Report had already been filed in the House. And it was the opinion of any to go ahead and file the opinion here. Might also point out that the conference committee was adopted by -- that the Report was adopted by the

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House last week, with a pretty substantial support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, Senator O'Malley, this has only been, I guess, on our desks for about an hour here. And it just seems to me, we got the rest of the afternoon, by the time that the budget is going to be ready for presentation to the Senate. So, the things that Senator Netsch, the Comptroller, was referring to are pretty important to her, and so, I would just ask, perhaps, our Members on this side to vote Present on this bill. And perhaps we can go to a conference committee and have her language added into it, and then we can come back this evening and approve everybody's. So I would request a Present vote on -- on this bill, at this time.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw.

SENATOR SHAW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shaw.

SENATOR SHAW:

Is anything in this bill dealing with incinerators?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Gee, I -- I don't know why you would ask that, Senator Shaw. But thank you for asking that. Let me answer, no, not that I'm aware of.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Seeing none, Senator O'Malley, to close.

SENATOR O'MALLEY:

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I -- very briefly. There's quite a few provisions in this Conference Committee Report, and while I appreciate the -- the suggestion made by Senator Demuzio that somehow there shouldn't be support coming from the other side of the aisle for this particular conference committee, I'd only remind everybody that it has already cleared the House; all it waits is for us to act on it, and then it can be sent on to the Governor. I would ask for support from both sides of the aisle, and appreciate your consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 1974. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, and 1 voting Present. The Senate does adopt the Conference Committee Report on House Bill 1974, and the bill, having received the required constitutional majority, is declared passed. Conference Committee Report, Senate Bill 273. Madam Secretary.

ACTING SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 273.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton. Take it out of the record. Conference Committee Report, Senate Bill 483. Senator Hawkinson. Madam Secretary.

ACTING SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 483.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. Senate Bill 483 Conference Committee Report contains a number of provisions. Perhaps the

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most important provision is the original bill, which deals with the subject of aggravated assault against a correctional officer. We -- in the Conference Committee Report it's been amended from "officer" to "employee", although the original intent was to cover all correctional employees. This is aimed at protecting our correctional guards and other employees in our correctional institutions, and we passed it overwhelmingly earlier. The House has receded from the use immunity amendment, which ran into some difficulty here in the Senate, and that's gone from the Conference Committee Report. Provisions of House Bills 49, 52 and 53 are included in here. They deal with possession of a machine gun and a loaded machine gun in the area of a motor -- passenger area of a motor vehicle. They deal with third-time offenders on armed violence, and they deal with armed violence penalties committed near a school or a park as part of gang activity. It has a provision in it that was in Senate Bill 956 last evening on the closed-circuit television, and I see Senator Molaro about to rise on that provision. I might, in explanation of that provision, add that it is tighter than the one that we dealt with earlier, because it requires the approval of the circuit court before the closed-circuit television can be used, including the rules must be approved by the circuit court. It raises the penalty on a second conviction for domestic battery from a Class A misdemeanor to a Class 4 felony, and the same is true for the second violation of an order of protection. And finally, the Child Sex Offender Registration Act is amended to include a conviction for child pornography or federal sex offenses. This is done in response to the situation -- excuse me -- several weeks ago, in the suburbs, where a particular individual would -- had been released after sentencing on child pornography, was not subject to the Registration Act, and it received some publicity, because that offender had told the -- the court that he intended to kill the

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next child that he saw. So, this would add child pornography or federal sex offenses to the registration provisions under the Child Sex Offender Act. I would ask for your affirmative vote on Senate Bill -- 483, and be happy to try and respond to any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Molaro.

SENATOR MOLARO:

Well, in -- in the way of comments. You learn something here as a freshman, when you get in the last couple of days, that a conference committee report comes by you, and it has seven or eight things in it of which seven you agree to, one you don't, and now you're stuck trying to figure out what to do. Now, I just want to bring up this closed-circuit TV thing one more time, and probably for the last time. I've spoke on it three or four times. It was supposed to be amended. We defeated it in committee. We -- we quit work on it, and all of sudden it keeps rising from the dead. About 1200 in England, one of the big reasons for the Magna Carta was so the king couldn't come up, and he could come up and say, "You're convicted." They said, "Wait a minute. What about a trial?" "Well, Pete, we had a trial, and people spoke against you. And you were convicted." "Well, what about having me there, and what about having these people who are accusing me of things face me? I want my accusers to face me. When someone's up there testifying, I want to see them testify in front of me." That was the reason they had a revolution in England, about hearsay and about people saying things about you without you being here. Well, what this part of it says -- and -- and -- and I understand that Senator Hawkinson say we may have made it better but -- because we're going to allow judges. What we, as lawmakers -- and that's what we're called sometimes and on TV, lawmakers - we're saying that may allow the defendant -- that now you may allow the

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defendant to personally appear at any pre-trial or post-trial proceeding by way of closed-circuit television. So what you're going to do is you're going to have a -- a defendant who's accused and can't make bail - because all it says is you have to be incarcerated - you can't make bail; you have them sitting in Joliet. So when you had a pre-trial motion - say, a motion to suppress, which is the big thing; if you can't win a motion to suppress, you might as well plead guilty - and have four or five or six police officers or other people testify, you can have the lawyer sitting at 26th Street with the defendant at -- in Joliet, and he can't even see the people who are testifying against him. You don't have the lawyer being able to talk to his defendant. You'll have a lawyer sitting at the table, with the defendant two hundred miles away, having somebody testify against him. And the reason we bring this up now is because the sheriff says it costs too much to transport them, or the sheriff says it may be a safety issue. Well, that's ridiculous to take people's rights away because it may cost a few dollars to transport them. The other part of it is, if the defendant who's accused of the same exact crime - having the same exact motion to suppress - if he could get the thousand dollars cash and bail himself out, then he could have the people who are accusing him say it in front of him. But if you can't make bail and you're incarcerated, then you're stuck in Joliet, and we're not going to transport you up, because it costs too much money. Now, I think it's sad if we're going to pass laws - laws, because we're lawmakers - we're going to pass a law that allows the judge of a circuit to deny that defendant the opportunity to have his accusers and say, "Say it in front of me. I want to be there when you're going to have such an important thing as a motion to suppress heard. I want it done in front of me. I want my accusers to come forward and do it in front of me." And I think it's wrong for us to say, "We don't have to do that,"

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and it's also wrong to say, "If you don't have the thousand dollars to get out, tough, you don't get to see it in front of you." And I think it's wrong.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw.

SENATOR SHAW:

Yes. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shaw.

SENATOR SHAW:

On the Section dealing with the dropping of objects over a underpass, on a -- I assume that's a -- a interstate or some highway, how -- would you explain -- if I'm in Chicago and dropped a -- a rock off of a -- a overpass, on an interior street, what happens at that point?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

The bill talks about dropping on a highway. It would have to meet the definition of a highway under the Traffic Code.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

That's the -- to this Section: Well, why wouldn't we include those -- well, all overpass? Because there's a -- there's a -- sometime in Chicago, in my district, as a matter of fact, this happens all the time. Why wouldn't we include this in here?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, of course, many roads in municipalities would qualify as highways. If you think we ought to expand it, I think that'd be a

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subject of another bill, and I'd probably support you on that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW

Well, the only thing I'm saying, I think it should be the subject of this Conference Report, and -- long as we're passing. We have not passed it yet. That should be the subject of this Conference Report, and I would appreciate it if you would probably -- if this conference would go down, and send it back and order a Second Conference Report. I think this -- this would be the second one would be coming up. And, I think -- because you have neglected a lot of people here, and people have been injured in my district all the time, and it's not qualified as a State highway. But certainly, the street that I'm talking about, in Chicago, and certainly, I think that those people deserve some protection under law, too.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson.

SENATOR HAWKINSON:

Well, Senator, it doesn't have to be a State highway. If it meets the definition of highway anywhere in this State, whether it's an interstate, whether it's a State highway, whether it's a county highway, whether it's a township highway, and many of the streets in Chicago would qualify. I understand your concern. The House has passed this. There's not going to be time for this second report you're suggesting, this year, and that'll be the subject of another bill. If you don't want to vote for it, that's fine.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

That's all right.

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PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Hawkinson, to close.

SENATOR HAWKINSON:

I won't go over the many important provisions again in this bill, other than to indicate that there are many. But in brief response to the issue of closed-circuit television, I would -- I'm not sure I disagree. I think I probably agree with Senator Molaro, on the example that he gave. And I don't think on a suppression hearing that this could be used, because I think that would be a constitutional violation. And this bill specifically says that it cannot be used where the defendant's presence is constitutionally required. And I think in a suppression hearing, it would be constitutionally required. But I think what that argument -- the other parts of the argument ignore is that technology has advanced, and this is not some sort of picture where the defendant's just looking, or they're just looking at the defendant. This is interactive, two-way closed-circuit television, which is used very successfully in Peoria County. It -- it serves to -- to safeguard transportation of prisoners. It will be used in situations other than those, I think, that are outlined in the argument here. It has already passed, last night, in Senate Bill 956. But there are many other provisions, and I think the most important one is the trailer language that we need here for the aggravated assault on our correctional employees. And I would urge your Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 483. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, 5 Nays and none -- and 4 voting

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Present. The Senate does adopt the First Conference Committee Report on Senate Bill 483. The bill, having received the required three-fifths majority, is declared passed. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Referred to Appropriations Committee - Conference Committee Report to Senate Bills 946 and 419 -- pardon me, that was Senate Bill 946 and House Bill 419; Be Approved for Consideration - Conference Committee Report to House Bill 2282.

PRESIDING OFFICER: (SENATOR DONAHUE)

We'll go back to -- or go back on Senate Supplemental Calendar No. 1 to pick up Senate Bill 273 for Senator Cullerton. Madam Secretary.

ACTING SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 273.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Madam President, Members of the Senate. This conference committee, the House is receding from House Amendment No. 1. This was an amendment that was found to be objectionable to the Members of the Senate, so we're taking that out. The bill -- the underlying bill required a law enforcement officer to remove dangerous weapons from the scene when the officer has probable cause to believe that the person has been abused by a family or household member. That was drafted and did pass the Senate by the National Rifle Association, with their approval. The new section that's added by the conference committee, which just was approved by the committee - Judiciary Committee - today, further amends the bill to amend the Human Rights Act. It permits meetings with Equal Employment Opportunity officers of State

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agencies with an aggrieved employee, to -- this would allow and permit the employee to be accompanied by and represented by an attorney, or by a representative of the employee association to which that employee is a member. And then we added language that would guarantee the -- that the confidentiality of the non-attorney representatives would be enforced and protected. Be happy to answer any questions, and ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 273. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays and none voting Present. The Senate does adopt the First Conference Committee Report on Senate Bill 273, and the bill, having received the required constitutional majority, is declared passed. Page 9 of your regular Calendar, under Secretary's Desk, Resolution, is House Joint Resolution 65. Madam Secretary.

ACTING SECRETARY HAWKER:

House Joint Resolution 65.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Madam President. House Joint Resolution 65 is a follow-up to House Joint Resolution 1 that passed the Senate unanimously in this Session. Basically, what House Joint Resolution 65 does is clarify those duties and responsibilities that were contained in House Joint Resolution 1. It adds the Secretary of State, or a designee, as a nonvoting member of the task force and would subject the task force to an audit by the Auditor General, and using generally accepted accounting

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principles. I would be glad to answer any questions on House Joint Resolution 65.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Seeing none, Senator Madigan moves the adoption of Senate Resolution -- or House Joint Resolution 65. 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. ...(microphone cutoff)...that question, there are 53 Ayes, no Nays, and none voting Present. House Joint Resolution 65 is adopted. Senator Mahar?

SENATOR MAHAR:

Thank you, Madam President. For the purpose of an announcement, the Senate Environment and Energy Committee was scheduled -- or there was a posted meeting for 1:30 today, to consider House Bill 1821. I'd like to announce that we will meet at the -- at the call of the Chair.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any other announcements? Senate will stand in recess until the hour of 3 p.m. ...(machine cutoff)...could have your attention one more time. Announcement is that Senate Appropriations will meet in Room 212 at 2 p.m. It has been posted, but we need to make that announcement. 2 p.m. 212.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDENT PHILIP:

The Senate will please come to order. Senator Donahue, for

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what purpose do you rise?

SENATOR DONAHUE:

Well, thank you, Mr. President. I would like to request a Republican Caucus in Senator Pate Philip's Office immediately. And those of you that are in your offices, please come as quickly as you can.

PRESIDENT PHILIP:

All right. The Senate will stand at ease until 4 p.m. Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Yes. Thank you, Mr. President. I would request a Democratic Caucus in Senator Jones' Office immediately.

PRESIDENT PHILIP:

All right. That request is always in order. Senator Jones' Office for the Democrats. We'll be back on the Floor at 4.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

...(machine cutoff)...come to order. Committee Reports.

SECRETARY HARRY:

Senator Maitland, Chair of the Committee on Appropriations, reports that the First Conference Committee Report to House Bills 419 and Senate Bill 617 and 946 Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

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Mr. President - I am directed to -- 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 68.

Adopted by the House, July 12, 1993. It's congratulatory.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar.

SECRETARY HARRY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their amendments numbered 1 and 2 to a bill of the following title, to wit:

Senate Bill 706.

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

Action taken by the House, July 13, 1993.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Farley moves to accede the request of the House that a conference committee be appointed. All those in favor will say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Senate accedes to the request to appoint a conference committee.

SECRETARY HARRY:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to wit:

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Senate Joint Resolution 20, with House Amendment No. 1.

Passed by the House, July 13, 1993.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, 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 284, with House Amendments 1 and 2.

Passed the House, as amended, July 13, 1993, by a three-fifths vote.

We have a like Message on Senate Bill 358, with House Amendments 1 and 3.

Also passed the House, as amended, July 13, 1993, by a three-fifths vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Resolutions.

SECRETARY HARRY:

Senate Resolution 710, offered by Senators Severns and Welch. It's substantive.

Senate Resolution 711, offered by Senators Philip and Jones and all Members.

Senate Resolution 712, by Senator Smith.

Senate Joint Resolution 83, offered by Senators Philip and Dudycz.

They're all congratulatory, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. We will now proceed to the Order of Resolutions Consent Calendar. With leave of the Body, all those read in today will be added to the Consent Calendar. Mr. Secretary, have there been any -- been any objections filed to any resolution on the Consent Calendar?

SECRETARY HARRY:

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There have been no objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall the resolutions on the Consent Calendar be adopted. All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted. Senator LaPaille, for what purpose do you rise?

SENATOR LaPAILLE:

On a point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR LaPAILLE:

Mr. President and Ladies and Gentlemen of the Senate, during the debate of Senate Bill 1105, Senator Rauschenberger made reference that what I said about funds being hit through Fiscal '92, as well as Fiscal '93, when we were taking money out of funds and putting it in the GRF, was wrong. I would like to correct that, to Senator Rauschenberger. If he would look at the Comptroller's annual report for Fiscal '92, and go to page 20, he will see that the Dramshop Fund, which was one of the funds that will receive these increased fee increases, in Fiscal '92, 1.8 million was taken out, due to the Emergency Budget Transfer Act; in Fiscal '93, three million was taken out pursuant to Senate Bill 45. And the Design and Professional Administration and Investigation Fund, which is a -- another fund which was in his bill, five hundred thousand was taken out, pursuant to the Emergency Budget Act -- Transfer Act in Fiscal '92. So I would want the Membership to know that I did do my homework. I have worked under and with Carter Hendren. He's always been my alter ego when it comes to matters like this, and I want to make sure that Carter was not disappointed that I did not do my adequate research. Thank you very much.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell, for what purpose do you rise?

SENATOR FAWELL:

Point -- point of personal privilege.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR FAWELL:

May I remind my colleague on the other side that while those enhancements to the budget were made, the Appropriations Committee was indeed controlled by Members of your Party, in both the House and the Senate, and it was their idea.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Conference Committee Reports. On Supplemental Calendar No. 2 is the Order of Conference Committee Reports. Mr. Secretary, do you have a file on Conference Committee Report on Senate Bill 617?

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 617.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. I would first of all move that the First Conference Committee Report on Senate Bill 617 be adopted <sic> and request a No vote. There are errors here. We're going to have to dump it. I would request, therefore, a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 617. Those in favor will vote Aye. Opposed, 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, the Ayes are 4, the Nays are 27, those voting Present are 3. The Conference Committee

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Report is not adopted, and the Secretary shall so inform the House. Resolutions. On -- on Supplemental Calendar No. 2 is the Order of Secretary's Desk, Resolutions. Senator Philip, do you wish your resolution considered? Mr. Secretary, read the resolution.

SECRETARY HARRY:

Senate Joint Resolution 82, offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Joint Resolution 82 would be a study of workmen's compensation system in Illinois. The reporting date is January 15th, 1994. It consists of nine members, the Governor appointing five, and each one of the Legislative Leaders appointing one. I'll be happy to answer any question, and hope that I would have some green votes up there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Not to belabor the point, but, just a question of the sponsor, and that is, Senator, do you feel that a seven-to-two makeup on this board is actually fair?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Yes. It's bipartisan by nature.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Bipartisan with the Governor appointing five, each of the

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Leaders appointing one, that will give us a bipartisan membership.
Correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

The Governor is going to appoint members of the labor community and members of the business community. His attitude is to appoint, I think, an equal amount.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Palmer. Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Palmer.

SENATOR PALMER:

Senator Philip, I have sat on many meetings -- in on many meetings now on workers' compensation, and it was my understanding that there was an agreed-bill process. Is this part of that agreed-bill process?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

It -- it may be. I hope it is. I -- I'm not sure that there's an agreement on the workmen's comp bill yet. And it's floating around here somewhere. If it does pass, I would hope that this -- this would implement that and be the commission that would study it and report back to us.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President, again. Well, the -- the workers' comp bill that I saw included a task force and included

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appointments - bipartisan appointments - and also a Governor's appointment. So, I'm not sure why we have a resolution outside of that agreed-bill process.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator LaPaille.

SENATOR LaPAILLE:

Yes, Mr. President, on the resolution. For Members - and I was not even around when -- when it occurred last time - when you had a Democratic Governor, '72 to '76, organized labor came into the General Assembly and did changes in the workers' compensation system, as well as the unemployment system. And we are still paying for many of those changes, because you had a Democratic House, Senate and a Governor's Office. By doing this, and -- going away from what we have been accustomed to the last ten years, where business and labor would sit down together equally and decide what was best and reform the system, we will be again embarking on that road, but it'll have the reverse effect. I would say that this a wrong course to take, to have a committee that's going to be seven business-orientated <sic> representatives - if you like it or not, that's what it's going to be - to two union-orientated <sic> members. We are going to embark on what we, as a party, basically did wrongly, in '72 to '76, because we had control. I would say that we should do what we've done the last ten years, under Speaker Madigan and Senator Phil Rock, where you put labor and -- and management together in a room and you tell them to work out a plan, and you use your offices to try to encourage a -- a suitable solution that does not hurt business, nor labor. I would ask for the defeat of SJR 82.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR PALMER:

Thank you. And I apologize for rising for a second time, but

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I want our side to be clear that, in fact, what Senator LaPaille has just said has taken place. Labor and management have sat down, and there is a bill. So, to pass this is to bypass the process that was agreed upon.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator McCracken.

SENATOR MCCRACKEN:

Thank you. Let's -- let's put this in its proper historical context. When the agreed-bill process took place ten years ago, it was fueled by two concerns, as I recall. First, we were in a historically high deficit in this State, which was strangling all of us. Second, in the ten years since then, the effect of the agreed-bill process has largely been to protect the Democratic gains made from 1972 to 1976. So, in fact, not everybody thinks the agreed-bill process -- process has been the greatest thing since the invention of sliced bread. Now, I'm not saying that we're declaring war and that we're throwing the agreed-bill process out. But if you put this in its proper historical perspective, it may be time to look again at whether the agreed-bill process of the last ten years has done as well as some claim. I believe all we are authorizing here is a study or a task force to study this issue in light of today's economic realities. I don't believe that's too much for us to ask.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Reflecting on history, I was here in 1974, when we -- we - I should say your side of the aisle - passed the largest increase in workmen's comp and unemployment compensation in the history of the State of Illinois. We had a Democrat House, a Democrat Senate, a Democrat Governor. Governor Walker signed that bill. The sponsor

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- the Democrat sponsor of that bill - was defeated the next election. Now we have suffered, because at that point, we were the number one State out of fifty states in workmen's comp. Now, we have whittled that down a little bit. We're still in the top ten states. If you would go to DCCA and look at their surveys when companies move out of Illinois, or don't expand in Illinois, or don't come to Illinois, the number one reason is high workmen's comp. I'll give you an example. During the last election, I stopped at a coffee truck on Mannhiem Road by the tollway and talked to the guys that were working there on the toll highway. Found out all of them were from Indiana - Indiana - working on our tollway. Why? Because the company and the contractor they worked for could bid the job cheaper, because they have low workmen's comp in Indiana, lower than Illinois. It puts us at a disadvantage. This simply is a study to recommend for the General Assembly, and I encourage an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip moves the adoption of Senate Joint Resolution 82. 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 32 Ayes, 24 Nays, 1 voting Present, and the resolution is adopted. With leave of the Body, we will return to the regular Calendar, page 10. Middle of the page. House Bill 990 -- 991. Senator Trotter. Mr. Secretary, do you have a file on Conference Committee Report on House Bill 991?

SECRETARY HARRY:

First Conference Committee Report on House Bill 991.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President and Members of this Body.

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Second <sic> (First) Conference Committee, House Bill 991, made some changes from the original bill, which reincorporated the provisions of House Amendment No. 1 to House Bill 1591, which prohibited the advertising availability of services provided by a specific provider and indicated that a consumer should obtain access to services provided by use of an emergency telephone number 1-1-1 <sic>. There are about fifteen other initiatives in this bill. They've all been agreed upon by the Membership, and there are no opponents that I know of. If there's any questions, I'm willing to answer them.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 991. Those in favor will vote Aye. Opposed, 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, the Ayes are 55, the Nays are none, none voting Present. And the Senate does adopt the Conference Committee Report on House Bill 991, and the bill, having received the required three-fifths majority, is declared passed. We will -- we will return to the Order of Conference Committee Reports on Supplemental Calendar No. 2. At the top of the page, we have House Bill 419. Senator DeAngelis. Mr. Secretary, do you have a file on Conference Committee Report on House Bill 419?

SECRETARY HARRY:

First Conference Committee Report on House Bill 419.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. House Bill 419 is the general obligation appropriation bill, and I would like to defer to Senator Maitland for further explanation.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. House Bill 419 -- Conference Committee Report on -- on House Bill 419 does increase the GO -- GO bond authorization, by a total of eight hundred and twelve million dollars. Increases are -- are provided for -- for Education, Corrections, Mental Health, Conservation, State facilities, water resources, anti-pollution categories. I would be happy, Mr. President, to respond to any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Severns.

SENATOR SEVERNS:

I would just add that we need to support this bill to make the budget come together, and I would hope that we see green lights on this side.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall the Senate adopt Conference Committee Report on House Bill 419. 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, the Ayes are 48, the Nays are 7, those voting Present are 1. The Senate does adopt the Conference Committee Report on House Bill 419, and the bill, having received the required three-fifths majority, is declared passed. House Bill 2282. Mr. Secretary, do you have a file on Conference Committee Report on House Bill 2282?

SECRETARY HARRY:

First Conference Committee Report on House Bill 2282.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

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SENATOR WATSON:

Yes. Thank you, Mr. President. This legislation is the Chicago Learning Zone. The Conference Committee Report deletes everything and now becomes the bill. It calls for the development of a Learning Zone, based on the recommendations of a seventeen-member advisory committee, and that committee would consist of the following members: the Governor; the State Superintendent of Schools; Chicago School Board President; Chicago Mayor; two Chicago Teachers' Union representatives; two representatives from other Chicago school unions; one Chicago principal; two local school council representatives; two representatives from civic organizations; and four Legislative Members, one appointed by each Leader. The committee, then, would develop a proposal for the creation of a Learning Zone, including the location and the size of that proposed zone. They would not -- they would then report back to the General Assembly and to the School Finance Authority, the Governor, and the Chicago School Board, by January 1st of 1994. Ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall the Senate adopt Conference Committee Report on House Bill 2282. 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, the Ayes are 52, Nays are 4, those voting Present are none. And the Senate does adopt the Conference Committee Report on House Bill 2282, and the bill, having received the required three-fifths majority, is declared passed. Senate Bill 522. Mr. Secretary, do you have a file -- a Conference Committee Report on Senate Bill 522?

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 522.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. If you would look at the Supplemental Calendar, the description of Senate Bill 522 is absolutely incorrect. It doesn't have a thing to do with motor fuel tax. What it does is, now, it's a tax credit for manufacturers based on the current a hundred percent exemption for production machinery and equipment. This translates roughly into the following tax breaks, based upon the State local share six and a quarter sales tax rate: in FY'95, twenty million; FY'96, thirty-five million; FY'97, fifty-eight million; and in FY'98 and thereafter, seventy-five million. It also allows for day care incentives, a tax break for manufacturing, and for TECH-PREP, it also allows a tax credit. This is basically the same as House Bill 1038, which, as you know, was passed over here. And this is, quite frankly, an agreement between the Speaker of the House, the Illinois Manufacturing Association and the Governor's Office. I'll be happy to answer any questions. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? Senator Syverson.

SENATOR SYVERSON:

...(microphone cutoff)...question? Pate?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Syverson.

SENATOR SYVERSON:

Pate, just a quick question. Now, this does not take effect till 1995? Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

That is correct.

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PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Syverson.

SENATOR SYVERSON:

Do we have some assurances that this is not going to be taken out of next year's budget when that -- when that comes around?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Well, let me say this: that -- that the Governor, the Illinois Manufacturing -- Illinois Manufacturing Association and the Speaker have worked out this compromise. I have not been in those meetings. I'm assuming it's an agreement on all sides. I don't think the Governor would have the courage to knock it out. It's going to happen, in my judgment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Palmer.

SENATOR PALMER:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Palmer.

SENATOR PALMER:

Senator Philip, I'm just trying to understand the TECH-PREP part of this. Does this mean that manufacturers will now offer technical prep classes or are -- what is the TECH-PREP portion?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

If -- if the employees -- if they'll send employees for technical prep classes, they will get a tax reduction on what they pay for that. So it's an incentive for them to train -- retrain people.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I thought we already passed a bill earlier this Session that gave -- that permitted employees -- employers to pay people less after work, if they were taking education classes. So I'm not sure why we're doing this. And as far as I can see, this is opposed by the AFL-CIO, which certainly should be in favor of something for TECH-PREP and for business. So, I -- I would have some serious questions about it.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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

SENATOR PHILIP:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. I said this was -- has been a long, dragged-out process, quite frankly, and it is a complete agreement, I have been told by the Illinois Manufacturers, the Governor, the Speaker and the labor people that were involved. And I think this is the only thing this Session that we're really doing for business. And I would certainly like to see a lot of green votes up there.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall the Senate adopt the Conference Committee Report No. 1 on Senate Bill 522. 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, the Ayes are 55, the Nays are 1, those voting Present are none. The Senate does adopt the Conference Committee Report on Senate Bill 522, and the bill, having received the required three-fifths majority, is declared passed. The bottom of page 2, of Supplemental Calendar No. 2, is the Order of Motions in Writing to Accept Specific Recommendations for Change. Senator Hendon, on House Bill 641. Mr. Secretary, read the motion, please.

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SECRETARY HARRY:

I move to accept the specific recommendations of the Governor as to House Bill 641, in manner and form as follows:

Amendment to House Bill 641

in Acceptance of Governor's Recommendations

Filed by Senator Hendon.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Hendon.

SENATOR HENDON:

Thank you, Mr. -- Mr. Chairman. House Bill 641 is the Illinois Guaranteed Jobs Opportunities Act. There was an amendatory veto by the Governor, who made the specific changes that he requested. And the sponsor and myself concur with those, and we ask for an Aye vote on the motion as suggested.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 641, in the manner and form just stated by Senator Hendon. Those in favor will vote Aye. Those opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 5 Nays, and none voting Present. The specific recommendations of the Governor as to House Bill 641, having received the required constitutional majority vote of Senators elected, are declared accepted. Senator Severns, for what purpose do you rise?

SENATOR SEVERNS:

Thank you, Mr. President. I would like to move for immediate consideration of Senate Resolution 710.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Severns moves to suspend the rules for the purposes of discharging the Committee on Executive, for the immediate

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consideration of Senate Resolution 710. All those in favor, Aye. Opposed, Nay. The Ayes have it, and the rules are suspended. On Senate Resolution 710, Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. This resolution simply urges the cooperation of the film and cable industries to agree with ABC, NBC and CBS in adopting joint standards to reduce violence on television. The reason for this resolution now is a meeting of the top executives in the movie, broadcast TV and cable industries is planned for August in Los Angeles. And at that time, they are going to consider whether or not they want to take steps that might at least partially resolve the issue of television violence. This resolution urges that they do so, and I'm delighted that Senator Karpel is on as a hyphenated cosponsor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator McCracken, for what purpose do you rise?

SENATOR McCracken:

No particularly good reason, but as long as we're on the subject, has anyone questioned the politically correct current thinking? Is violence really caused by television? I -- I thought violence was caused by people who committed violent acts. You know, this whole talk - it's just the latest politically correct rage. It's a silly, silly thing. I hope they stand up to Paul Simon and say, "The way we run a private business, with the First Amendment still in force in this country, is our business." I think it's a bunch of hooey.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Severns moves the adoption of Senate Resolution 710. Those in favor, say Aye. Opposed. The Ayes have it, and the resolution is adopted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Cullerton, for what purpose do you rise?

SENATOR CULLERTON:

Thank you, Mr. President. Can I have the attention of the Body, please? I wonder, Mr. President, if you could please direct our colleague, Senator Molaro, to please come down out of the gallery with -- visiting with one of his constituents, and come and join us here on the Senate Floor.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The Senate recognizes Senator Molaro in the Visitors' Gallery. Will Senator Molaro please stand and be recognized? Resolutions, Mr. Secretary.

PRESIDENT PHILIP:

Could we have a little peace and quiet? And if we would ask the Secretary of the Senate to read the resolution, please.

SECRETARY HARRY:

Senate Resolution 711, offered by President Philip, Minority Leader Jones, and all Members.

(Secretary reads SR No. 711)

PRESIDENT PHILIP:

I think we probably would all agree, Charlie Wheeler's been one of the nicest guys for a long, long period of time. In fact, I said, "Charlie, I -- I think that you've been here longer than I have." He said, "Wrong again, Pate. I -- I -- you came at -- at -- I came at your second term in the House." So he has been here longer than I -- I have been here longer than he has, but he's been one of the nicest guys that you'll ever want to know. I think probably our loss is Sangamon State's gain. He'll be a great teacher over there, and -- and, Charlie, quite frankly, we're going to miss you. Why don't you come up and say a few words?

CHARLIE WHEELER:

(Speaks to the Illinois Senate)

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SENATOR JONES:

Yes. I, too, want to commend and congratulate Charlie as he leave us. He's one of the first reporters I met when I came here a little more than twenty years ago. And throughout the course of his reporting on the -- on the General Assembly, one thing you could always say: Charlie reported it accurately, because he actually did read the bills, more than what we do sometimes. But he's a fair, decent reporter, and we need many reporters like him to let them know the great things that we do here in Springfield. So again, Charlie, congratulations and Godspeed to you.

PRESIDENT PHILIP:

Senator Carroll, for what purpose do you rise?

SENATOR CARROLL:

Thank you, Mr. President. To speak on the resolution, Charlie: as one of those, Charlie, who came with you here to Springfield, and as a -- one of those of whom you have written all your years in one of the papers that happens to be from the small town I'm from, in the northern part of the State, we want to congratulate you and really want to thank you, because from here on in, you won't be writing about us, and we're very thankful for that.

PRESIDENT PHILIP:

Senator Dunn, for what purpose do you rise?

SENATOR T. DUNN:

To the resolution, Mr. President.

PRESIDENT PHILIP:

Senator Dunn.

SENATOR T. DUNN:

Thank you. I wish to offer my congratulations to Charlie. Charlie and I used to sit next to each other in class in high school, and it's obvious that I didn't pay attention and Charlie did. His writing skills have been superb. His honesty is

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well-known. Pate, you're exactly right. Charlie was a good guy, not only in his writings, but he's been -- was a good guy in high school. And I've found that the good guys that were good guys in high school has remained such, and the bad people remained the bad people, as well. But we'll miss him in his Gridiron, and thanks, Charlie.

PRESIDENT PHILIP:

Just for your information, that resolution was on the Consent Calendar.

PRESIDING OFFICER: (SENATOR WATSON)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Approved for Consideration - motions to concur with House Amendment No. 1 to Senate Joint Resolution 20, House Amendments 1 and 2 to Senate Bill 284, Conference Committee Report No. 2 on Senate Bill 617, and Conference Committee Report on Senate Bill 345.

The Rules Committee reports that the foregoing <sic> bills are, pursuant to Senate Rule 3-9(b), exempt from the automatic re-referral provision of that rule: referred to the Committee on Agriculture and Conservation - Senate Bills 166 and 393; to the Committee on Commerce and Industry: Senate Bills 103, 397, 615, 814, 833, 834, 974 and 975; to the Committee on Education - Senate Bills 457, 467, 540, 541, 593, 673, 812, 1074; and House Bill 242; to the Committee on Environment and Energy - Senate Bills 20, 35, 65, 172, 214, 259, 331, 338, 530, 612, 630, 686, 710, 769, 820, 1060, 1091, 1100; and House Bills 44, 298, 332, 787, 1249, 1354, 1479 and 2065; to the Committee on Executive - Senate Bills 337, 693, 835, 837, 854, 1017; House Bills 1332, 1728, 1730; and Senate Joint Resolution Constitutional Amendment

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26; to the Committee on Financial Institutions - Senate Bills 369 and 746; to the Committee on Insurance, Pensions and Licensed Activities - Senate Bills 79, 154, 251, 307, 396, 635, 647, 691, 695, 803, 829 and 831; to the Committee on Judiciary - Senate Bills 59, 93, 245, 454, 455, 458, 644, 657, 726, 771, 805, 832, 898, 942, 1004, 1055, 1077 <sic>; and House Bills 246 <sic>, 700, 766, 1129 and 1631; to the Committee on Public Health and Welfare - Senate Bills 92, 256, 257, 303, 732; to the Committee on Revenue - Senate Bills 141, 174, 361, 475, 660, 699, 731, 755, 981, 983, 1011, 1012, 1035 and 1050; to the Committee on State Government Operations and Executive Appointments - Senate Bills 156 and 1005; and House Bills 99, 1120 and 1124; and to the Committee on Transportation - Senate Bills 4, 175, 218 and 903. Submitted by Senator Weaver, Chairman of the Rules Committee, July 13, 1993.

PRESIDING OFFICER: (SENATOR WATSON)

Mr. Secretary, Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, 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 591, with House Amendment No. 2.

Passed the House, as amended, July 13, 1993, by a three-fifths vote.

PRESIDING OFFICER: (SENATOR WATSON)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: to the Committee on Transportation - Senate Bill 809; and approved for Consideration - Conference Committee Report to

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Senate Bill 706.

PRESIDING OFFICER: (SENATOR WATSON)

Message from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, 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 358, with House Amendments 1 and 3.

Passed the House, as amended, July 13, 1993, by a three-fifths vote.

PRESIDING OFFICER: (SENATOR WATSON)

Back on the regular Calendar, on page 11, of Motions in Writing to Reconsider the Vote. Mr. Secretary, are there any motions that have been filed?

SECRETARY HARRY:

Pursuant to Senate Rule 7-17(d), the undersigned respectfully moves that Senate Rule 7-15(a) be suspended and that having voted on the prevailing side, the undersigned further moves to reconsider the vote by which Conference Committee Report No. 1 on Senate Bill 937 failed.

Filed by Senator Peterson.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Peterson. Having voted on the prevailing side, Senator Peterson moves to reconsider the vote by which Senate Bill 937 was passed. Senator Peterson.

SENATOR PETERSON:

Roll it.

PRESIDING OFFICER: (SENATOR WATSON)

Okay. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. There are 49

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voting Yes, no voting No, 1 voting Present. The motion carries, and the question now before the Senate is Senate Bill 937. Mr. Secretary, do you have on file a Conference Committee Report on Senate Bill 937?

SECRETARY HARRY:

Conference Committee Report on Senate Bill 937.

PRESIDING OFFICER: (SENATOR WATSON)

The Chair recognizes Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 937, as you know, has been a compromise worked out between the legislative Leaders, the Governor, and the Mayor. And this is what the loose agreement is: It makes the Illinois surcharge permanent in 1994, giving the State of Illinois seventy-five percent, local and county governments twenty-five percent. Changes the Local Governmental Distributive Fund from one-twelfth in '94, one-eleventh in '95, one-tenth in '96, and it makes it permanent. Provides for early retirement for the City of Chicago teachers - similar to downstate - five plus five. It also has some other educational components. It allows school districts downstate to use noncertified employees in study halls and detention areas. Creates a new regional superintendent of schools in Cook County only. Consolidates downstate regional superintendents from fifty-six, we have now, to thirty-five. Allows the -- Chicago to charge school supplies to the textbook levy. Speeds up the State aid payments for 1994 from September to August, and last but not least, continues a lower reserve requirement for the City of Chicago School Finance Authority. I'll be happy to answer any questions, and would hope there would be a lot of green lights up there.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

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SENATOR JACOBS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is one that's a toughie. I think this is one that probably is the most onerous of all the bills that we've been dealing with. I felt that the cigarette tax was an abuse. I feel that this also is an abuse, or a breach of a promise. It reminds me that a few years back, we impregnated the cities with a quarter-percent surcharge. And now what we're doing, at a later date, we are aborting them at one-quarter of that. The -- we made them pregnant, Senator. We made them pregnant, by giving them this money. Whether it was right, whether it was wrong, whether it was indifferent, is another issue. But here's what we're doing. I introduced a bill earlier that would have give a hundred percent of the surcharge to the city. Instead, we are taking that away from them. At the same time, we're talking about property tax relief. Here's what's going to happen over the next three years, Senator. The cities will, in effect, receive approximately two hundred and seventy-eight million dollars over the next three years. They received two hundred and fourteen million dollars this year. If they were to have received the entire surcharge, they would have, over the next three years, received a billion fifty-six million dollars, of even which - even which, if they would have taken half of that and we would have directed half of that to go to property tax relief - could have brought property tax relief to the cities of this State, to the tune of five hundred million dollars over the next three years. I'm not opposed to making it permanent, Senator. I think you're aware of that. I am opposed, however, to again balancing the budget of this State on the backs of many of the cities. I know the argument will be made that we gave to the cities; we told them it was temporary; we told them not to use it for permanent activities. Well, I think if you go back to the original debate,

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you won't find any of those comments. You might about the permanency, but not about spending it for one-shot items. That come later, and it -- become a press item, and it grew from there. The problem that we have, in this year as an example that we're looking at in FY'94, we say that the cities will receive 88.4 million dollars. It's my understanding, Senator, that the cities were already in the budget to get forty million dollars. It's my understanding, that forty million dollars has been removed, and they will now just receive the eighty-eight million dollars, therefore only receiving forty-eight million dollars more this year than they would have if this had not been enacted. I agree, and I understand that it's part of a negotiation process. I think that what we have done, though, is -- is a true miscarriage of justice, whenever one gets involved in how we treat our local governments - the very backbone of government. I think it's a mistake. I probably will end up voting for it, Senator, only because - only because - only because, and -- and let me make this very clear: only because it's important that finally, somewhere along the line, we make it clear to municipalities, just as we should make it clear to education, what their budgets are going to be for the future. I think it's important that the cities know that by the -- Fiscal Year 1996, they will receive one-tenth of the income tax -- of the income tax, in general. That's a plus. And for that reason, I'll probably end up voting for it, but I still think that what we've done here is, again, to balance the budget - the State budget - on the backs of local government. And I think that's dead wrong, and we should have been man enough, and women enough, to bite the bullet and do what was necessary to take care of our own needs, while at the same time ensuring that cities could live and not have to increase taxes. 'Cause I think that's, in effect, what the long-run effect of this will be, is a property tax increase. And I just wanted to say that. As I said, I

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probably will vote for it. I haven't even made up my mind yet, Senator. I'm waiting for you to convince me.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

END OF TAPE

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SENATOR HENDON:

Ah. Yeah. Right. All that's going to do is make me talk a little longer, and I don't moan and groan when any of you get up to speak. I don't feel it's right for you to moan and groan when I get up to speak. You don't have to like what I have to say, but as an elected Senator, I have a right, just like you do, to say it. And I'm going to say it, whether you groan or not. First of all, I wanted -- I would like to know, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WATSON)

The sponsor says he will yield, Senator Hendon.

SENATOR HENDON:

Mr. President, how much money will be raised by this tax increase?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

It is not a tax increase. It's been on for four years as a temporary tax, put on by your party in the Illinois House of Representatives.

PRESIDING OFFICER: (SENATOR WATSON)

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Further discussion? Senator Berman. Well, you've got to turn your light on. You've got to acknowledge that you want to speak. Well, you just turned it on. Senator Hendon. Senator Hendon.

SENATOR HENDON:

When you -- when you went to the President, my light went off. I did not turn my light off. Now, respect me. I'm going to respect you.

PRESIDING OFFICER: (SENATOR WATSON)

I respect you, Senator. You have the Floor.

SENATOR HENDON:

Thank you very much. Well, Mr. President, perhaps the Democrats did put this in, but as you know, I was not here. And I understand that this -- this temporary tax sunsets June 30th. I simply want to know -- whether you want to call it a new tax or a carryover from a previous tax -- how much money is this tax expected to raise? And -- and my light is still on, by the way.

PRESIDING OFFICER: (SENATOR WATSON)

Yes, it is. Now it's not. There you go. See, now you -- you learn now. You're learning how to work this system. Senator Philip.

SENATOR PHILIP:

Four hundred and fifty-eight million.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Now, the -- the four hundred and fifty-eight million added to what I -- added up a total of about six hundred million yesterday, brings to about one billion one hundred million in the total amount of taxes -- and I'm -- I'm asking this for a reason, Mr. President. I'm not being funny -- about a billion dollars worth of tax -- taxes coming in. And I was told that there's no pork in this budget. But yet, I've read through this -- this document and

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found a lot of pork. Now, I want to know, why is it necessary to raise a billion dollars worth of new taxes and yet have all these pet projects in this budget?

PRESIDING OFFICER: (SENATOR WATSON)

Was that a question?

SENATOR HENDON:

Yes, it was.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

To provide more money for health care - as you know, one of the increases gets -- does away with the granny tax - and help education.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Well, I won't belabor the point. I would simply say that those are noble ideas, but I see a lot of pork in this budget. I see a lot of pet projects in this budget, even though people said, "There is no pork; trust us." There's a lot of pork in this budget. We can have barbecues from now on till the year 2010 with all the pork that's in this budget. And I'm going to vote No because of that reason.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Would the sponsor please yield?

PRESIDING OFFICER: (SENATOR WATSON)

Yes, the sponsor will yield, Senator Berman.

SENATOR BERMAN:

Mr. President, I understand that the language in this bill deals with the speedup or movement of the September 1993 State aid

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payment to Chicago for August '93. There's been discussion that the question for the next fiscal year - starting in Chicago September 1st of '93 and going through August 31st of '94 - is a very critical one. Part of this bill addresses that. How does this bill - or discussions with the Governor or commitments from the Governor that you're aware of - relate to the speedup of the September '94 payment to Chicago for their August '94 budget?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. The Governor has informed the four Leaders that he intends to send a letter to that effect for 1994.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman.

SENATOR BERMAN:

Thank you. Ladies and Gentlemen, I rise in support of this bill. There are some things in the bill I like; some things I don't like. But I think that it's very important to recognize this: There are three specific items, and the item that the President just referred to, that I think are very crucial to the negotiation process that are -- that's presently going on in the City of Chicago. This bill allows Chicago to utilize its resources to address its budget shortfall. I want to underline that. This bill doesn't give any State money to Chicago's problems. That we will address, hopefully, in a few minutes in a different bill. But what it does is to keep the School Finance Authority withholding amount at the last year's level. That represents twenty-two million dollars for Chicago. It allows the tapping -- or the broadening use of the Textbook Fund for four million dollars. The Governor's commitment for the speedup of September '94 to August '94 represents a forty-six-million-dollar availability in next fiscal year. And the early retirement

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provision is approximately twelve million dollars. This represents eighty-four million dollars of Chicago money to use in addressing its budget shortfall for Chicago schools. For that issue alone, I urge an Aye vote on this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, what we're talking about is one-fourth of one percent. And I notice that the newspaper media referred to it - that one-fourth of one percent - as .25 percent. That's not so. It's .0025 percent, if I know anything about math. And what this -- half of that surtax, if you recall, two years ago was made permanent for education. So, in other words, the other fourth was permanent for education. Four years ago, when the surtax was foisted upon us, whether we liked it or not, my party was in the minority. But my colleague - my estimable colleague, who's now the State Chairman of the Democrat Party, was very instrumental in foisting it on all of us in both Houses. So, at that time, I told the municipalities that I -- which are in my district, not to expect it again. But then it was tough. They needed it for Chicago, and they got it. Now, I think the compromise that's worked out is good. We still need it; we still are in a bit of recession in Illinois. And I'm not one who likes to vote for a -- the raise in income tax. However, this is not a raise in income tax; this is a continuation of the surcharge. And when the Governor campaigned for office, he -- he -- he acknowledged the -- the surcharge and the necessity for it, unlike his opponent who said we should cut -- cut out the expenses two percent across the board. You and I know we have to pay our bills. This permanency of one-fourth of one percent will give us a lot of money to pay some of these bills. We have to pay off our old bills. We have more education spending, more Public Aid

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spending. And we want to emphasize welfare-to-work programs, which are very important, because people who have any sense of conscience want to get off the welfare rolls and get on the payrolls. Now, the municipalities -- and I've served as a mayor myself, and I have some experience in that business. The municipalities will be getting -- twenty-five percent of that one-fourth of one percent. Then they get, if I recall correctly, eleventh -- eleven percent -- what is eleventh -- instead of twelve, they'll get an eleventh from the income tax for the following year, and then it goes down to ten, which is a very substantial raise for the municipalities. I think we can keep our governments -- local governments in business, but we also have to keep the State in business. And I think this is a good deal. And I certainly rise in favor of this extenuation <sic> of the surtax, because we do need it and we've got to pay our bills. Let's not kid ourselves.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Rea.

SENATOR REA:

Thank you, Mr. President. I realize that local units of government do need the moneys; that they have lost moneys in terms of the federal revenue sharing; they've lost State moneys. In fact, the twenty-five percent, in my opinion, is really not enough of what should be provided to the units of local governments so that they can provide the essential services that are necessary. But also, I'm very concerned about a provision that is provided within this bill -- or within this Conference Committee Report, and that has to do with the regional superintendents of schools. Because in there you abolish the regional superintendent of less than forty-three thousand population to begin with, and consolidate. And I think that in areas where there are small schools and where the assistance of the regional superintendent is

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most needed, the assistance and the services there, those are the people that are going to suffer. I guess that, you know, it's late in this Session. It's a dilemma. Sometimes I wonder about conference committee reports, whenever we get so many things together there, because I like some of it and some of it I don't like. And probably we ought to be dealing with separate issues. Maybe we shouldn't have conference committee reports. But, anyhow, I realize the need for -- at the local government. I will support it, but at the same time, I will put in a bill to repeal that portion that has to do with the regional superintendent of schools.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. I realize that this is the only revenue enhancers that we will achieve this Session. And I would like to commend Senator Jones and the other Leaders for whatever efforts that they put forth to come up with some new revenue to attempt to balance the budget, and particularly to Senator Jones...(microphone cutoff)... My -- my mike is off. Hello.

PRESIDING OFFICER: (SENATOR WATSON)

Maybe you should move over to Senator Shadid's desk, if you don't mind. Can we turn his microphone on?

SENATOR COLLINS:

...for taking a leadership role on attempting to try and get adequate funding for education in the State. It grieves me sadly to know that the budget that will be coming before us shortly - sometime shortly tonight - will authorize approximately fifty million -- I mean, thirty billion dollars in spending. And at the same time, there are approximately a hundred and fifteen schools - districts throughout this State - who are experiencing very

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serious financial difficulties. Some probably won't even be able to open their doors, come September. And yet, we could not face up to our responsibility because of some prior political commitments to -- to -- to -- to -- to -- to -- to bite the bullet and actually raise the income taxes, as we are doing, and -- and let no -- let it be said that it is no such thing as we are extending the surcharge, because that's not true. We are simply raising the income tax, and God forbid anyone else say it's something different. And I hope the media tell the people out there the way it is, whether you agree or disagree. They have a right to know the truth. We are raising income taxes here tonight. There's no doubt about it. So if you're going to do it, I think the people of the State of Illinois would much rather us do it and make sure that education is a priority and funded, because the people of this State, I do believe -- that's the reason Edgar got elected. The only reason he got elected was because he said that he was for education and said that he would, in fact, support the surcharge for education - for education. That -- that's the only reason he won for Governor. And yet, I don't understand his politics. If this is about politics, it would make better sense to me, if he's going to raise the income taxes, to again go to the people and say to the people, "Yes, we're going to raise it a half percent and adequately fund education in this State." But for me to go back home to Chicago and have raised taxes, and yet Chicago schools may not open and some of my suburban districts schools not open, it makes me feel really sad to be here. And I have let the people down in my district, and the people down across the State of Illinois, when I vote for this bill. And I know that there are some things in here, and -- and -- and because of Senator Jones, that he has fought for us to get all that he can get. But the people back home in Chicago are sophisticated enough to know that what we're taking back home for education is nothing more than

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interim fiscal manipulation. Not one dime here that this tax has yield for the City of Chicago, and that's unfortunate. And yet, when we go back home, what are we going to say to the children? You don't have -- we couldn't find the money, but yet this budget authorizes approximately thirty billion dollars in spending. You know and I know that's wrong. And I would just say too, to all of you, to just examine your conscience and know when you leave here, whether we vote for this bill or not, that we have not done our job, and we have let the children down in the State of Illinois.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Assistant Minority Leader Welch.

SENATOR WELCH:

Well -- well, thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Maybe you'll keep it short.

SENATOR WELCH:

I knew you did that for a reason. But let me just say that this is the time when all the speeches from the last campaign, you've got to deliver. All of you folks who gave speeches about how you're for education, this is the time to prove it, because this bill provides over a hundred and thirty-five million dollars for elementary and secondary education. Many of us wanted more. Some of us wanted to see all the money go to elementary and secondary education, but you always -- you don't get what you always want in this business. I think that's something you have to learn when you're in politics. You know, two years ago we were able to raise the income tax and make permanent a quarter-percent increase for education. That's three hundred and ninety-five million dollars. This year we're adding a hundred and thirty-five million dollars. We are starting to make progress in funding education adequately in this State. We'll never have enough money to fund education adequately, I don't think, but we are making

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progress. And by voting for this bill, we can make even further progress. You know, education is something like the weather; everybody talks about it, but nobody does anything about it. This is the opportunity tonight to do something about education, by voting Yes. You know, this bill has a lot of provisions. There's a lot of thumbprints from the different caucuses and different individuals in this Legislature on this bill. Some thumbprints, of course, are heavier than others, but nonetheless, the fact that there's this much money in there for education, to me, warrants an Aye vote. And I urge all of you who have been given the -- been giving the speeches in your district about how you're for education, put up or shut up. Vote Yes, or quit giving the speeches. And tonight's the night to vote Yes, and I would urge you to vote Aye.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President and Members of the Senate. I rise in support of this compromise package on the Conference Committee Report on Senate Bill 937. If you recall, when the Governor gave his budget address a few short months ago, in that budget address he wanted to assume and take all the surtax and use it for the operations of State Government. At that time, I indicated that if the Governor wanted to take that, he should tell the people of the State of Illinois that, "I need a tax increase," rather than attempt to get a tax increase through the back door. So we've haggled over this issue over the past few months, and we've come to this compromise, though on a seventy-five/twenty-five split. There are many provisions in this bill, and those of us who have had the opportunity to serve in this Body for a number of years recognize that you do the best you can, recognizing that we do need to do more. During all these negotiations, my number one

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priority has been to try to do what I could possibly do for the children of the State of Illinois who must attend our public school systems. And we did do some things as it relate to the internal operation of the Chicago school system, to give them what the teachers across the State of Illinois already have, and that is a five-plus-five incentive for early retirement. We did some other internal matters. And the issue, as Senator Berman has indicated, as it relate to the FY'94 speed-up payment, which ran into a glitch, but we did come to an agreement on that issue. And the Governor has assured me in writing, as I have a letter in my office, that when this bill is signed into law, the Chicago school boards will be sent that letter, to ensure that that forty-six-million-dollar speedup will take place in 1994, August. So it doesn't give everything that everyone wants, and -- and again, I am for a graduated income tax. But I'm a realist to the point that I recognize that that leadership has not been generated in this State, at the executive level, to push and make the children of the State of Illinois first. I recognize that, sure, there are serious problems, and in the big budget, there is a big bill - a big number, a -- big dollars - sixty million dollars for a supermax. That's a prison to incarcerate people. We can find dollars to do that, through our Build Illinois Fund. But it's amazing to me when you look at all those inmates, a great percentage of them never completed high school. So it's a correlation between crime and those who are incarcerated in our penal institutions and those who drop out of our schools in the State of Illinois. But I rise to -- and urge you to support this compromise, because this is the compromise that we've haggled over. And we on this side of the aisle, as I indicated to you - which has been so accurately misrepresented in the press - that we have always had the votes for this bill. But the -- the trailer bill to come behind it, which is the funding, is one that we had

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worked on together, we -- to ensure that those dollars get where they should get, because we did not want to give a blank check to the Governor to write that budget. We are -- we did achieve that objective. And so with -- with that, I urge my Members on this side of the aisle to put those green lights on, so we can continue to take care of the business of the people of this great State.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Dunn. Tom Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. Well, this all sounds very familiar to me. Matter of fact, it was just back in 1989 that I heard the thing said that Senator Welch, the Assistant Minority Leader, just said. It was about the income tax and creating the temporary income tax, and I was a naysayer. And Phil Rock walked over to my desk and got down on his knee and asked me to vote for it. And I said, "I'm sorry, Phil, I can't." He said, "Why?" I said, "Because there's no property tax relief in this - not a dime." Two minutes later, he walked back to my desk and placed on my desk the Watch List for schools in the State. Guess who had the most schools on the Watch List in trouble? I did. Two days later, mysteriously, out comes a new package where we doubled the deduction on your income tax. That was something I could support. That bill passed out of here, and now here we are again today, talking about just a quarter percent, just a half a billion dollars of "new" tax or of "a" tax - call it what you will. It's still a tax to the homeowner. Here we are with four hundred million dollars of new revenue this year, and not one cent - not a penny - to the property taxpayer who is struggling, and we all know they're struggling. There isn't even a guarantee that the cities will rebate a penny of this money. And, of course, the best way to -- to look at the future is to sometimes look at the past, and if you look at the past in this particular instance, the

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cities haven't given back a penny to the property tax holders. Oh, I know the arguments about, "Well, your taxes would have gone up," - et cetera, et cetera. There's always an argument that can be made on either side of the issue. There's always something good in the bill; there's always something bad in the bill, if you want to defend yourself in your vote, either way. But the truth of the matter is, for all the haranguing and all the new energy that we had last year, there isn't one cent. When you go home you can't tell one of your property taxpayers that you gave them one penny. That's wrong.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? For a second time, Senator Hendon.

SENATOR HENDON:

Thank you, Mr. Chairman. I just want to clear something up that one of our Leaders said about, if you're for education, vote for this bill; it's time to put up or shut up. Illinois is forty-seventh - forty-seventh - among fifty states in funding education. We are at the bottom. We are at the bottom - the bottom. We do not provide educational dollars to our children right now. We are forty-seventh - forty-seventh. That is poor. And to come out with a package without any real new dollars in it -- because if this passes - when it passes - we will still be forty-seventh out of fifty states in funding education. That's the truth. That's what you have to tell the children. That's what you have to tell the teachers out there. You can't give them one little old pencil and a broken book and tell them "Go out there and educate the children," and -- and then go back home and say, "I stood up for education." We are so poor that we need to do a lot just to get to the middle. So it's not a question of being able to go out and say, "Yes, I made a speech about education," and then I come here and I do this little bit. We need to do a lot. And Senator Dunn is right; there is no property

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tax relief in here. A billion dollars worth of taxes, raising fees on granny, cigarette taxes, not a penny worth of property tax. I am shocked. With all these brilliant minds on -- especially on the Republican side of the aisle, that always talk the taxpayer and the taxpayers' rights, and property tax relief, and none of you - none of you - especially with all the new faces, with Rauschenberger, and Lauzen, and Syverson, and my -- my few friends that I have left in this Chamber, on that side, because I don't think I have hardly any left on this side. Because when I tell the truth, whoever -- whoever it hurts, wherever it lands - Democrat, Republican - it makes me no difference. I did not come down here to make friends. When I leave here, if I don't have one damn friend from here, it makes me no difference. I came down here to represent the people of my district. There is nothing in here for education. I don't care who says it - my Leader, your Leader - it's a billion dollars worth of taxes, and Governor Edgar is going to have to pay. And each and every one of you is going to have to pay, because it'll be a Republican running against you in the primary; it'll be a Democrat running against you in the primary, and your opponent will point out that you did nothing for education, because we will still be forty-seventh out of fifty states tomorrow, after this bill passes.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

It's a -- I think you're going to have a self-fulfilling prophecy though, particularly on one of your lines. I rise in support, not reluctantly, but saddened - sad because of what has brought us to this point, particularly this point in time. We have a freshman class this year, not only the largest, but certainly the brightest in the history of the Senate. And I feel we need to explain to them - it is the brightest - to ensure that

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something that occurred this Session will not occur again. Everyone who walks into this Body brings with him or her a certain innocence. I came here fourteen years ago, left the presidency of a steel company, for two reasons: one, I was concerned about the direction of public policy; and secondly, as a first-generation American, I did not want to believe that I might be the first generation in American history that told their children they had to have less than their parents. But, you know, as in "The Summer of '42", you ought to lose your innocence in the right way. But I'm afraid this class has lost their innocence unjustly. There was, several weeks ago, either perceived or applied or real, a belief that an agreement had been made - that an agreement had been made. And, you know, as I look what's before us tonight, ninety-nine percent that was there three weeks ago is here tonight. So I'm not so certain that agreement wasn't real. In this Body - in this Body - we can tolerate a lot of things: philosophical differences, disagreements, insults, and excessive demagoguery, and occasionally, even prejudice. But what we cannot tolerate is distrust. There is only one thing that makes the Body that we are: trust. And without it, we would be virtually nothing, or without it, we could virtually do nothing. All the best minds, all the technology, all the labor, cannot survive without the most simple element: trust. It is the lubricant that makes this system work. I apologize to our freshman class tonight, for keeping here to this date, to have done nothing, virtually, since the time we could have let you go home. But I will make you one pledge: that if it ever happens again, we will be here to Christmas, because I intend to stay there because I will not tolerate anyone walking off out of an agreement, or creating the kind of distrust that collapses this system.

PRESIDING OFFICER: (SENATOR WATSON)

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No further discussion? Senator Philip, to close.

SENATOR PHILIP:

Thank you, Mr. President. I'd like the record to indicate that the Chicago teachers' early retirement plan contained in Senate Bill 617 controls over the plan in Senate Bill 937. Senator Hendon, let me straighten the record out for you...

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip, I beg your pardon. Senator Jones, for what purpose do you rise?

SENATOR JONES:

I feel compelled to respond to the remarks of the Assistant Minority -- Assistant Majority Leader. Senate Bill 937 - Conference Committee Report - when we met in the Governor's Office, it was my understanding, the Speaker of the House understanding, that we were attempting to do something administratively to -- to deal -- to deal with the serious budget deficit facing the City of Chicago public schools. We looked at that bill. At cursory view, it did have the language in there, but my very able and competent staff discovered that what we believed was supposed to be in there, was not in there. Trust. The House voted, thinking that they were doing something to take care of the fiscal problem of the Chicago public schools, as it relate to the speedup. Had we, on this side of the aisle, supported a supposedly tentative agreement, then we would have passed and acted on a bill that did not have the language in there. We, on this side of the aisle, did not have an opportunity to partake in the budget. Senate Bill 5 passed out of here on a partisan roll call vote, with all the cuts possible to the social programs for the needy people and loaded with many, many, many pork barrel projects for people on your side of the aisle. I did not set the agenda. We argued the rules in January. You have the majority; you won. Senator Pate Philip, the Senate President, has all the

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authority to set the schedule. I did not decide that we shall be here on this date in July, because I do not set the schedule. But these Democrats on this side of the aisle were not about -- ready to vote in the blind on a budget. We owe it to our constituents to do the right thing. And when we came to an agreement that we're going to do these things, if we have to do the budget, we're going to be here anyhow. So what was the hell in trying to run 937 through? It's a joke. So there was no agreement, as such. It was tentative, and my caucus rejected it, and they rejected it and I stood for them. And I don't want anyone, especially the freshman legislators that are here, don't vote in the blind. Know what you're voting on, and have some input from your constituents. We got that, and -- and it is an agreement. It doesn't have everything that everybody wants in it, but it's an agreement. But had we voted after midnight on July 1, what you thought we had a tentative agreement on there, the people who supported it, thinking it was in there, would not have. Trust. And I'm glad I trust the competent staff we have, because they looked at it and said, "Senator, it's not here." And that's why we're here today.

PRESIDING OFFICER: (SENATOR WATSON)

No further discussion? Senator Philip, to close.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. And I would like to set the record straight, Senator Hendon. If you would take the money the State spends, per student, per year, you'd be absolutely correct. Forteenth -- we rank -- we rank forty-seventh. But when you put in real estate taxes and the limited federal taxes, we rank fourteenth. Just so you get that straight. Fourteenth, per student, per year. Now, my good friend, Senator Jacobs, I never impregnated any cities. And, quite frankly, I didn't know all the cities were female, but I want you to know that I'm innocent. I'm going to refresh your

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memory a little bit. In 1989, when we passed the so-called temporary surcharge, the Illinois Municipal League did not ask for a tax increase. The DuPage Mayors and Managers did not ask for a tax increase. There was no local government that came to us and asked for a tax increase. How did it happen? It happened late one afternoon in the Illinois House of Representatives. There was no public hearing. It was put on a bill on 2nd Reading and passed over here, without a public hearing. And why was it done? Simply stated, to help the City of Chicago balance its budget. Now we all know that; we all know why it happened. And I can remember the people on the other side of the aisle, saying, "Well, the local governments are going to give us a real estate tax break." Less than twenty percent of local governments reduced their real estate rates. It did not happen. Well, you know what? It's not perfect, but I will tell you one thing: The Leaders, the Governor, the Mayor have worked long on -- and hard on this compromise. The Illinois Municipal League is in favor of this compromise. It's all it's about -- it's all -- that's left. This is a tough vote, I know. It is the right vote. And you know in your heart and mind, we are right. And I would ask for some beautiful green lights up there.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 937. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are -- 38 Yes, 18 voting No, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 937, and the bill, having received the required three-fifths majority, is declared passed. We would like to go back to Supplemental Calendar No. 2. That's Supplemental Calendar No. 2, and it's Senate Bill 946. Senator Pate Philip.

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Mr. Secretary, do you have on file a Conference Committee Report on Senate Bill 946?

SECRETARY HARRY:

...(microphone cutoff)...Conference Committee Report on Senate Bill 946, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

The Chair recognizes Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As you know, I am the sponsor, but Senator John Walker Maitland is the authority, so I will -- defer to him.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Conference Committee Report on Senate Bill 946 does represent the FY'94 State of Illinois budget. It represents a lot of hard work by a lot of people, and recognizes an agreement between all of those differing groups. Let me, Mr. President, just recite the high points of the budget and then stand ready to respond to any questions that any Member might have. It increases by one hundred and forty-five million over last year's appropriation the funding for elementary and secondary education. It increases by over fifty million dollars the funding for higher education within this State. It implements the Healthy Moms/Healthy Kids Program at a level of fifty-eight million dollars. We are assured that this will fully implement, statewide, the Healthy Moms/Healthy Kids Program.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland, excuse me, but let's have some order and listen to the Gentleman. Senator Maitland.

SENATOR MAITLAND:

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Thank you, Mr. President. It implements a number of Public Aid initiatives that are designed to assist people in getting off of public aid. The Fresh Start Plan is funded for a full year. Earned income and direct child care payments are phased in at a level at about nine months. The COLA increases that were in the Governor's budget for DMH/DD are in place starting July 1, at a level of three percent, and many of you have heard from your constituents on this issue. The COLA for Aging, DCFS and DASA start on January 1, at a 3.5 percent increase. Parks remain open across the State. The budget was designed in a way to allow us to capture all the federal aid matching funds that we possibly could capture. The budget was also designed to allow us to meet the court mandates that we are required to meet. And also, the budget was designed to meet all the federal-mandated requirements that we have in this State. Mr. President, again, this budget represents the compromise of many groups, and I would stand ready to respond to any questions that any Member might have.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Members of the Senate. Some comments, if I might. First of all, I want to congratulate Senator Maitland, Senator Severns, on behalf of the Senate, for the truly outstanding work they did under very difficult conditions and in very trying times. And this is the budget that will be before us. It's the only budget that'll be before us. But I think there are some problems that we still have to point out. Since everyone's trying to teach the freshmen, maybe that's part of the purpose. I think we have to look at this and say, "What do we get for the billion dollars of taxes we have raised?" Say what you want; it is now July. We have, in fact, voted to raise taxes a billion dollars; this from a Governor who had pledged no tax increases.

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We have a Governor who eats fat-free, but doesn't budget fat-free. Look through the budget and you'll see what's there. Has it been there before? Of course, but we haven't quite demagogued it the way it was done this year in pledges and statements from the Second Floor. In fact, when we passed our rules in this Senate, we said that if something was killed in the Senate, it would never see the light of day again; nothing would show up in a conference committee we hadn't seen before. This is not fat-free. Once again, items that we killed time and again are back in the budget. Things we never saw till the budget table, till the committee meeting, never decided before by this Chamber, are back in the budget. The man who said when he was elected that he was going to tear up his credit card, now has shown us why. He's his own loan officer. He doesn't need a credit card anymore. He goes out and borrows nine hundred million dollars. Something we have said: Better for the State to borrow, than the people who supply us with goods and services. But this Governor who said, "Tear up your credit card," now found out he doesn't need one; he just makes the loans. Is there smoke and mirrors? Yes. And maybe that's what appalls me the most after all the statements. He talked in the past about budget gimmickry. But when Senator Jones came in this weekend and said, "You need to cut another ninety-five million dollars because of add-ons of the Governor," and Senator Jones and Senator Severns said, "Here's a plan. Here is where we can trim government operations ninety-five million dollars," lo and behold, a Sunday surprise - fifty-five million dollars came down from heaven, and the Governor said, "We have a new source of revenue." Thirty-eight million dollars appeared from somewhere that they have still yet to identify where. And guess what? Now there's ninety-three million dollars that nobody knew about till Sunday night. Did it go to pay our bills? No. Did it go to reduce the deficit? No. Did it go to provide the property tax relief we

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were promised if there was any new money? No. Instead of that, when Senator Jones and Senator Severns said, "Here's how we can cut the money," the Governor's response was, "No." To me, that shows him to be a flim-flam man, the tax-and-spend Governor of Illinois. Should we have trusted that in a budget? No Member should have. We saw it in the drafts, in this legislation. We saw it midnight, June 30th, when the bills did not appear, because he didn't want them voted. And suddenly, there were things in the bills that no one had ever seen before. And in this bill -- one of the reasons it's late is because the portion drafted by the Bureau of the Budget did not comply with what Senator Maitland, Senator Severns, their Representatives from the House, and the four Leaders had agreed to. And why not? Because the Bureau said, "We didn't like what you agreed to." So in one instance specific, and many others, they drafted the language so that the money could not be sent -- spent. Senator Dudycz has a problem in his area at Read. Suddenly, it was no longer funded for Read. There was a fund created to capture ten times its amount in federal moneys, but the Bureau drafted it so it could never be spent. That's why we had to see a finished product, to see where this tax-and-spend Governor was going to be placing the funds that we would be voting on. My problem is this: When money appears from nowhere, it gets you nowhere, and goes nowhere. Do we have a choice on this budget? No. But to the freshmen, I warn you - these numbers will be revisited. When the money comes from smoke and mirrors, be prepared for the supplementals that will be necessary to keep this operation going.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I also want to compliment Senator Maitland and Senator Severns for

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putting this together. But I think there's some facts that we have to recognize before we all start issuing our press releases on this budget. First of all, this could have been done six weeks ago, if it wasn't for the request from the Second Floor's political agenda to Senator Philip that we delay all of this. Shame on the Second Floor. I want to compliment Senator Philip for showing strong leadership in the organization of this Senate. And I know that, but for the request of the Governor, Senator Philip could have wrapped up this Session pretty close to May 28th, certainly in the first week of June. But I think that there's a more important recognition and reality that we must face. And that is, what does this bill do - what does this budget do - for what everybody says is our number one priority: education? This budget isn't even a Band-Aid to the issues of education. Chicago is facing a four-hundred-and-fifteen-million-dollar deficit. In November of last year, fifty-seven percent of the people that went to the polls and voted on the constitutional amendment - fifty-seven percent - voted Aye. That's a greater percentage than elected our new United States Senator, Carol Moseley-Braun. It was a greater percentage than elected our new President, Bill Clinton. It's a greater percentage than all of the people that voted for George Bush and Ross Perot, together. And yet, with that fifty-seven percent vote at the polls, this budget says, "Forget it - forget it - we're not going to listen to you, the voters of Illinois." Chicago has that budget deficit that I talked about. You know how much of this budget Chicago's going to receive to address a four-hundred-and-fifteen-million-dollar deficit? Thirty-eight million dollars. Thirty-eight million dollars. Now, in the debate, interestingly, with some of my friends on the other side of the aisle, during the constitutional amendment, it was stated in opposition to the constitutional amendment that the Legislature

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has the power to do what the constitutional amendment called for us to do. We may have the power, but here's the proof six months later that we don't have the political will. Not only Chicago faces serious, serious problems with the question of whether four hundred and ten thousand children in Chicago are going to have school in September; there's over a hundred other school districts that would probably be bankrupt, or couldn't open their doors, if they had to operate on the same rules that Chicago operates - namely, they must have a balanced budget. But every other school district in -- in the State doesn't have that requirement. So they'll borrow, because they're not going to get the money that they need under this budget. What could we, the Legislature, have done? Let me give you some specifics. First of all, we could have passed Senate Bill 38, sponsored by Senator John Maitland. This was the product of two years of a Task Force on School Finance that would have moved Illinois forward to address the needs of our schoolchildren. That bill is in Rules. We could have passed Senate Bill 606 <sic> (660) that could have tapped in to the outrageous profits of the riverboats that are in Illinois, to generate eighty million dollars more for education. That bill is in Rules. We could have passed Senate Bill 1008, or the House Bill 818, for a progressive income tax, but those bills are in Rules. These and other bills show that we have failed to be fiscally responsible. We'd rather go out and borrow nine hundred million dollars, and - and - not only borrow nine hundred million, but not fund education adequately. We don't need a new supermaximum security prison; we've got the Rules Committee. That locks up all our good bills. We could have -- we could have passed legislation that would have stopped the shell games. Let me tell you what this bill does: It continues the shell games. We should have increased State funding for the last three years of Governor Edgar's administration. We should have increased school

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funding this year, a hundred and eighty million dollars. That's the amount of money that was increased by the Lottery, by the surcharge and by riverboat gambling but does not appear in this year's budget, because we took it through the front door and we removed it in the back door. The shell games continue. Language to stop it hasn't been passed.

PRESIDING OFFICER: (SENATOR WATSON)

Further...

SENATOR BERMAN:

Now...

PRESIDING OFFICER: (SENATOR WATSON)

Excuse me.

SENATOR BERMAN:

...one other item. Those of you from the suburban school districts, you're going to go back and talk about thirty-five million dollars that has been earmarked for the categorical grants. Those are school districts that are already spending at the top levels. What should have been done, as is in Senate Bill 38, to provide some property tax relief. No property tax relief is afforded in this Senate budget bill. But what we're doing is to go back and to say that we're going to have a nonbinding referendum regarding property tax caps, a year and a half from now - in November of '94 - nonbinding advisory. We should have increased revenues. We should have funded education. We should have provided property tax relief. But we didn't do any of that. Last week, Crain's Chicago Business - it's not necessarily a pro-education publication - came out with this chart. This chart won't change as a result of this budget. It shows that the top high school district is spending eleven thousand six hundred dollars per child, and the bottom high school district can only spend fifty-one hundred dollars a child. It shows that the top elementary district is spending ninety-nine hundred and forty-four

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dollars per child, and the bottom school elementary district can only spend twenty-eight hundred and forty-five dollars a child. This budget exacerbates those outrageous - in my -- opinion, illegal - discrepancies between the very rich districts and the very poor districts. Shame on us. Shame on us. And yet, we are presented with this kind of an outrageous, outrageous bill that many of you want to issue a press release saying that we're putting education first. We are not. We are not. And we should be ashamed of ourselves, and the Governor - for that lack of leadership, as an education Governor - should be ashamed of himself.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President, Members of this august Body. I would like to begin by saying -- I would like to -- to commend the Democratic Minority Leader for the good job that he's done in ensuring that we got this budget as it is today. He, as we have found out through the press and through other sources, actually made the best of a very bad situation. He, probably more so than anyone else, demonstrated what true leadership was, because he worked to ensure that there was something in this budget for everyone throughout this State, not like some others who were seemingly concerned with their own districts and with their own communities. No -- and because of that, even though there's been some good things in this budget, as I'm sure that many of the other side would tell us what's in here, I'm going to vote No for this budget. I'm going to vote No for those people, those educators, those parents, those children, who actually believe that this State had the preponderance and responsibility to fund their education, as said by the previous speaker. I'm going to vote No for those two thousand-plus welfare recipients

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from DuPage County, who probably have to -- are getting tired of going to Woodfield Mall to purchase Lottery tickets so they can live like the -- the Senate Presidents of the world. I'm going to vote No also for those mothers and those babies, those unborn babies, who believed the Governor when he said in his State of the State Address that he was going to take kids over concrete this time; that he was going to ensure that their well-being, their health care, and their future was going to be a better one than the one we've been giving them in the past. I'm going to vote No for them. And I'm certainly -- the list can go on and on of reasons why I should be voting No for this, and you as well. But I'm going to vote for those good Illinoisans, who -- who have come to me -- many of them have come to me and said they would like to extend to this Body that good old hand gesture of the extended middle finger to those who've given them the shaft all through this last legislative Session, those who've taken -- been -- gleefully insulted them, gleefully have gone and had -- through callous remarks and through lack of respect and disregard for their well-being, have just ignored them, have ignored them through the onerous process of which we have been presented with by our new President, and who have been seeing that we are not the people for the State; we are not the government that represents this State. For all of those folks, and for all of the other people who are going to hear about what's happening here in the State of Illinois, I give a resounding and emphatic No, and ask you to do the same.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. I rise this evening with a profound sadness, and with support for what Senator Berman said. I'd like to remind the Body that a few months ago one of the notable poets

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and museum founders in the State of Illinois stood in the podium and read her poem, "What Shall I Tell My Children?" - Margaret Burroughs. I listened to that poem - I have heard it and read it many times - and I was reminded again about the underlying sadness of that poem, "What Shall I Tell My Children?" And I think of the four hundred and ten thousand children in Chicago, and those who are in school districts, some two hundred of them across the State of Illinois, and yet I don't hear from this Body, and I don't see the political will to resolve this problem. Ladies and Gentlemen, we have reached the end of the road, when it comes to denying that we need new revenue for our schools. We have reached the end of the road, when we can be cynical and turn our backs on those proposals that had been made to us. I remind you, there was a proposal. Martin Koldyke, certainly not someone who should be sneered at, made a proposal to put forward bonds. He was laughed off many of pages in the newspaper and not taken seriously down here. And yet, in this budget, we have nine hundred million dollars that we're going to borrow in order to fill the budget gap. What shall we tell our children? I would urge that this Body not take this lightly. We are coming into September very quickly, because we've been down here so long. I suggest that you leave here thinking about what you are going to do on behalf of these children. It has become kind of a smug thing to think that this is only Chicago. It is not. If you think about it in your districts, you are going to have schools that run the risk. The difference is that in Chicago, for everything that's good about the reform movement, you have also put up barriers to our ability to manage, and then not allowed us to do what we need to do. This is a sad day, although I am pleased by the small part that we do get for Chicago, and for that, I thank Senator Jones. I hope you will leave here and think about what we need to do, so that we can tell our children they can go to school in the fall.

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PRESIDING OFFICER: (SENATOR WATSON)

Just so the Body knows, we have six more speakers. We were down to one, and now we're back up to six. Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Mr. President. I too would like to stand and compliment Leader Jones for an excellent job that he has done with the Senate Democratic Caucus. Coming over from the House, I had my qualms about getting into a Senate Democratic Caucus, because I heard about them. And I can assure you that Leader Jones kept us together, and we have accomplished our goal of seeing how we're going to spend money before we vote to raise taxes. But I think we've heard a lot of people on the other side that were somewhat anxious - anxious to get this over with, anxious to pass this budget, anxious to pass taxes. And we said, "Well, let's wait and see what's really happening here in Illinois." And I think we have to focus on just what this current administration is doing to taxpayers and our children and their children. Internal borrowing - we talked about that a little earlier today. Two hundred and nine million dollars we have taken away from special funds in this State over the last two fiscal years and driven it into the General Revenue Fund in order to balance budgets. Never have repaid those funds, and now, in fact, we find that we're increasing fees in many of those funds in order to replenish them. External borrowing - this is short-term borrowing. In the last two fiscal years, and now this coming fiscal year, if you add them all together, this Governor will be borrowing 2.1 billion dollars in funds. That's a forty-million-dollar interest payment to Illinois citizens. There's a tax increase on every Illinois citizen, when you talk about a forty-million-dollar interest payment, just to borrow money in order to meet your bills and obligations. Long-term debt - 11.5 billion dollars it stands at today. That's one thousand eight dollars per person in Illinois.

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The per-person debt in Illinois has increased sixteen percent under this Governor, in two years. Sixteen percent. This is equal - equal - to all the yearly debt increases run up by Jim Thompson, from 1983 to 1990. He's already matched it. And in his first budget address, this Governor said, "We have been living on borrowed money; we have been living on borrowed time, and we must throw away our credit cards." I would submit to you, taking a look at all this borrowing, it would appear that he didn't listen to his own inaugural speech, or his budget address. Unbalanced budgets. This is if you really reflect what we do and what this Governor has been doing, is paying twelve months of bills, with fifteen months of revenue. That's not a balanced budget. And if you really look at those numbers, in all the Thompson years - all the Jim Thompson years - we were underfunded or unbudgeted by 1.8 billion dollars. Under this Governor, in two years, we will now be at 2.8 billion dollars of an unbalanced true budget in Illinois. Fees and taxes - Senator Carroll talked about them. We've made it over the billion-dollar mark with the last bill that we just passed. And in his budget address, he talked about holding the line on taxes. With these facts in mind, no wonder City and State Magazine, this last May of '93, ranked Illinois forty-fifth in the assessment of fiscal health, and the Illinois pension system ranks forty-eighth. Standards & Poor's, major bond rating organization, recently issued its second downgrading for Illinois. And Illinois now is the lowest amongst the five Great Lake states, with regard to bond ratings. In the City and State Magazine, publisher Don Miller wrote, "Of course, Illinois' ranking is going down. The smoke is dissipating and the mirrors are becoming clearer." I submit to you that this budget was a difficult budget. We have to compliment the four Legislative Leaders who worked with a Governor who digs in and holds his position with regard to making sure that he'll be able

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tonight, when the reporters go to his office, say, "We've held the line; we balanced our budget; and we didn't raise taxes." I would submit to you that we have laid out the facts that this is a Governor that is spending; this is a Governor that is borrowing; and this is a Governor who's putting our children and their children further into debt. In 1992 there was a referendum for President in this State and across the nation. Many people thought that that President wouldn't lose. But the one issue that the citizens of America zeroed in on was the federal debt and how our federal budget is being managed. Many of you, and that President, tried to blame a Democratic Congress for all of his problems and the Democratic Congress is to blame. But what happened? The people said, "No. The Chief Executive Officer of this nation is the person held accountable." And that person lost Illinois by fifteen points, and he went on to lose the Presidency. I submit to you that in 1994 there's going to be another referendum on how this Chief Executive Officer is managing this State. And I would submit that he may face the same fate that the past President faced here in Illinois. Thank you very much.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Collins. Turn your light off then, Ma'am. Thank you. Further discussion? Senator Molaro.

SENATOR MOLARO:

This is a -- Mr. President, this is a point of personal privilege. I don't know where Senator DeAngelis is at, but I wish he would hear this, wherever Senator DeAngelis is at. And I don't know if his talk last time was a threat, or an implied threat, to keep me away from my family till December 25th next year. Well, if it was a threat, let me tell Senator DeAngelis, in the vernacular of our most famous Member, I have two words for him: Merry Christmas.

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PRESIDING OFFICER: (SENATOR WATSON)

Thank you. Senator Geo-Karis, for what purpose do you rise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, let's stop -- let's stop bashing the Governor. The four Leaders... I think he's done the best he could under the circumstances. Don't forget, some of the circumstances that were not very good, were not created alone by this side. And let's just thank the four Leaders for working out a compromise, and let's hope that your side of the aisle will come forth and help our side of the aisle with a better and a more meaningful education formula, so it'll be fairer to the collar counties. And let's get down to business and have a vote.

SENATOR WATSON:

Further discussion? Senator Hendon.

SENATOR HENDON:

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

PRESIDING OFFICER: (SENATOR WATSON)

Yes, Senator Maitland will yield.

SENATOR HENDON:

Senator Maitland, is the -- the Burnham City Hospital still going to be purchased in this budget for the Natural History Survey Center in Champaign?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

It is.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

I contend that that's pork. Is the law building for Temple

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Hoyne Buell, purchase of equipment? Is that two million dollars still in this budget?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

It is.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

The two hundred thousand dollars for a fancy office in Hong Kong - is that still in this budget?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

It's not fancy, but it's in there.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Well, I haven't been over there to see it, but it would be interesting to see what they're going to do with that two hundred thousand dollars, buy new furniture or whatever. Ladies and Gentlemen of -- of this Body and of the media, if I went down this list I would be here all night - all night - in this so-called porkless budget, reading off millions and millions and millions of dollars in pork - pork. And all I have to say is, it makes no sense to me to make these cuts and add on that pork. Now, the Office of the Public Counsel - what do they do, Senator Maitland?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Senator -- Mr. President, I didn't understand the Gentleman.

PRESIDING OFFICER: (SENATOR WATSON)

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Would you please repeat the question, Senator Hendon?

SENATOR HENDON:

The Office of the Public Counsel - what do they do?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

They're -- they're not going to do anything now. They're out of the budget.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

Exactly. But the people need to understand and hear from you, Mr. Chairman of Appropriations, what they did, or at least what they do right now, before you take this vote, so we'll see why are you cutting them out of the budget, based on what they -- the service they provide. So I'm asking you again, what does the Office of Public Counsel, which this budget intends to completely eliminate, what do they do?

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator... Oh, I beg your pardon. Senator Maitland. That was a question.

SENATOR MAITLAND:

His question was, what -- what do they do. They do the same thing that CUB did, and the four Leaders and the conferees all agreed that there was duplication; we ought to cut them out. So we eliminated the program.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon.

SENATOR HENDON:

I'll conclude by saying, what they do, Ladies and Gentlemen, is fight for all the citizens of the State of Illinois to keep our utility rates down, keep our utility rates at a reasonable level,

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and now they are being eliminated. While we are protecting an office in Hong Kong, Ladies and Gentlemen, we're eliminating an office that protects the citizens - every one of you up there in the gallery - your rights to keep your light bills low, and your gas bill low, and your utility rates low. And I want to say as I sit down, since this will be my last speech of the Session - yea - that I respect Senator Jones for what he's tried to do. And I don't have to say this, but President Pate Philip know that I respect him and -- and -- and admire him for what he did for his side. He certainly delivered for his side. But I respect both of the Gentlemen, but I believe that this is a bad budget, and I urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I rise in strong support of this budget, a budget that is a result of serious deliberation, debate and compromise. Since the passing of June 30th, this budget document has improved, and so has the fate of Illinois citizens. Since our June 30th deadline, we've agreed to one hundred and forty-five million new dollars in elementary and secondary education, nearly half of which go into the State Aid Formula. We've agreed to over fifty million dollars to higher education. This summer, when the rain stops, the citizens of Illinois will be able to visit their parks, because they will be open. In the fall and winter, they can visit them too, as a result of this budget. For the people in southern and central Illinois who don't have doctors, this budget provides needed dollars for the rural health initiative. For those areas of this State who have suffered from flooding, this week the Governor asked for an additional ten million dollars to match federal disaster funds for these critical areas. In the area of the

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welfare-to-work programs, programs that can truly provide an opportunity for AFDC recipients to hopefully break that cycle of poverty, those programs will start immediately, rather than next year. For victims of sexual assault, there's a half a million new dollars in this budget. For victims of Alzheimer's disease, their budget has been increased. To the thousands of women who suffer from breast and cervical cancer, new dollars, for the first time in the State of Illinois, has been added to this budget. For the important programs like Parents Too Soon, needed dollars have been maintained. Seven hundred thousand dollars for minority teacher scholarships have been provided. One hundred and fifty thousand dollars for Vietnam veteran employment outreach, an area we all know needs to be addressed. Needed dollars for economic development programs with special emphasis on export assistance. For the downstates who have heard -- Members, who have heard from nearly every mayor on the community water testing problem, this budget provides the needed dollars. To those who have worked and assisted Argonne, now our universities across this State will be able to participate in that project. And we've done it without providing any layoffs to the State employees. Ladies and Gentlemen of the Senate, I think it's a good document; I think it's a balanced compromise, and I think it's time that we all went home to our districts. This is a product of honest differences of opinion and thoughtful debate. It is a budget that reflects the diversity, the strength, and the greatness of our State, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President, Members of the Senate. First let me congratulate Senator Maitland and Senator Severns for -- and all the staff who worked many, many hours to bring about this

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compromise on the budget. This is something that we could have done during the month of June, working together as a team, because as I indicated to you, I wanted to get out of here on June 30th. But on June the 23rd, if you recall, a budget did pass this Body. It passed on a partisan roll call vote, in the middle of negotiations. And that budget literally stripped many of the programs that benefited the needy in the State, with the pretense of giving more to education and with no input on a bipartisan basis. So why are we here today? Why did an hour ago that we passed the -- the funding mechanism for local and State government, which was in 937? As I indicated then, there is no need to rush 937 through, because those two issues can run in tandem, and they are running in tandem. There was talk about trust. But how can you trust when you don't have any input? How can you trust when all your amendments and ideas and recommendations get scuttled in the Rules Committee? How can you trust when the most neediest of the neediest get cut from the -- from the budget? This budget that I'm rising to support doesn't do everything that I would like to see it do. It doesn't do everything for everybody, but it is the best that we could do. If the budget does not pass, then it would be even worse. So this is the best of a worst situation. But the rhetoric constantly that came out - why are we here? Again, I repeat: I do not set the schedule. Now if you on the other side of the aisle want to give me the gavel, I will guarantee we will fulfill this endeavor. You could have voted for me for President. But you choose -- you chose a great Leader in Senator Philip, and I respect that. But he decided that we're going to take three weeks off in June, not Senator Emil Jones. But don't you freshmen ever sit there and vote for something in the blind. A budget this thick and -- and you're going to sit up here and tell me, "You Democrats vote for it and trust us."

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TAPE 4

SENATOR JONES:

This budget that is presented today, we double- and triple-checked. We made sure that every "i" was dotted and "t" is crossed. It doesn't do everything for everyone. There is more money going into the School Aid Formula, to help schools upstate and downstate. It does not solve the problem. But if we didn't put anything in there, the problem would be worse. So I urge you to vote for Senate Bill 946.

PRESIDING OFFICER: (SENATOR WATSON)

No further discussion? Senator Maitland, to close.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. It obviously would be very easy for me to respond to a number of the statements that have been made on the other side of the aisle. But I thought tonight as we started the debate on this Conference Committee Report on Senate Bill 946, we had reached a point where we had complete agreement between both sides. We had had our partisan differences, in committee, on the Floor, but over the last week, the four Leaders, the four budget Leaders and the Governor had worked side by side, hour after hour, putting together a budget that fit within the available resources that we felt we would have in this State for Fiscal Year '94. I believe in that. I think we have done that. Did John Maitland get everything he wanted? Of course not, nor did any one of you. But in the spirit of compromise and cooperation, constantly going back to our individual caucuses, we have fashioned a budget to the best of our ability to serve the people of this State for the next

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fiscal year. And I invite those of you who have found your partisan difficulties still apparent, join with us; become a part of the team. The Governor of this State, the four Leaders, and now the Bodies on both side of the Rotunda should work arm in arm to implement this budget. I want to pay special tribute to my budget Leaders on the other side of the aisle - Senator Severns, Senator Hall, and -- and Senator Severns, thank you very much for the kind -- fine comments that you made with respect to this budget. To Donna Ginther, and your staff, Donna. On our side of the aisle, my colleague to my right, Senator Donahue, Mike Bass, and his fine staff. We've had our difficulties, but we come together now, forging ahead for the next fiscal year. I would like, Mr. President, at this time, before I yield to Senator Philip, to read a Fiscal Year 1994 Balanced Budget Statement, if I might. FY'94 appropriations will total just under thirty billion, after the Comptroller adjusts for reappropriations as provided by law. State General Funds appropriations total fourteen billion two hundred seventy-one million. These are affordable with General Fund -- Fund revenues at fifteen billion four hundred and ten million. Appropriations for Fiscal Year 1994 do not exceed funds estimated by the General Assembly to be available during Fiscal Year '94, and the State budget is balanced under Article VIII, Section 2, of the Illinois Constitution. The Fiscal Year 1994 budget improves the State's fiscal position by reducing the amount by reducing the amount - of lapse-period spending by seventy-one million, and by increasing the end-of-year General Fund's balance by twenty-eight million to two hundred million. Mr. President, I urge the adoption of this Conference Committee Report to Senate Bill 946.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 946. Those in favor, vote Aye.

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Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 46 voting Yes, 11 voting No, no voting Present. The Senate does adopt Conference Committee Report on Senate Bill 946, and the bill, having received the required three-fifths majority, is declared passed.

PRESIDENT PHILIP:

May I have your attention for a minute? And I'll try to bring you up to date, where we're going. On Supplemental Calendar No. 3, there are four bills left. On Supplemental Calendar No. 4, there is one bill left. And after that, we're going to adjourn. So -- and you notice all the talking we had on the last bill, it got -- I said 50 votes, close to 50 votes. So if you could hold the rhetoric down, we'd probably get out of here a lot sooner. So without further ado, on Supplemental Calendar No. 3, Senate Bill 617. Senator Maitland. Mr. Secretary.

SECRETARY HARRY:

Second Conference Committee Report on Senate Bill 617.

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Conference Committee 2 to Senate Bill 617 does a multitude of things, and let me go briefly through them. First of all, it addresses problems within the Department of Commerce and Community Affairs which are caused by unfunded mandates. The following mandates are repealed: a requirement that DCCA establish an Office of Coal Commerce, a requirement that DCCA provide access to centennial business signs to businesses which are established a hundred years or more, requirements under the Illinois Network for Opportunity Act, requirements under the Public Housing Tenant Manager Training Act. It also repeals the Illinois Network for

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Opportunity Act. It also addresses the Department of Public Health needs for revolving laboratory funds to implement the budget agreement with regard to accepting federal funds in the takeover and the operation of the city labs as per the budget agreement. It amends the Legislative Information Systems Act. It provides for breast and cervical cancer research to be administered by the Department of Public Health. It amends the Illinois Bond Act. It -- it creates the Five-Plus-Five Early Retirement Plan for Chicago teachers, which was discussed earlier this evening. It provides that Chicago local school councils shall fill principal vacancies for the remainder of the four-year performance contract. It allows DPA to file claims against the estate of a Public Aid recipient's surviving spouse for amounts paid to the recipient, and where permitted by federal law, allows for claims against the estate of recipients who are under the age of 65. It also adds some additional language to the intergovernmental transfer for Cook County Hospital that we passed last evening. It adds provisions which would allow the Department of Public Aid to prohibit coverage for antimicrobial and nonsteroidal anti-inflammatory drugs for persons on Medicaid. This would allow for Public Aid to require prior approval for these two classes of drugs. This Section -- Section also repeals the Public Housing Tenant Manager Training Act. It changes the definition of "neglect" under the Abused and Neglected Child Reporting Act and the Juvenile Court Act. And finally, Mr. President, it amends the Anna -- Anna Veterans Home Act to allow the home to be operated through a contract with a private contractor.

PRESIDENT PHILIP:

Senator Cullerton, what purpose do you rise?

SENATOR CULLERTON:

Yes. Thank you, Mr. President. I will be very brief. I know that this will pass, but I -- I just have to -- to rise, for the

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fourth time, to point out that on -- on page 45 of the Conference Committee, there's something in here that -- that has been defeated in committee. Each time it's been rejected, each time that the General Assembly's taken it up. There's a change here of the definition of "neglected child". It's something that the Public Guardian is very much opposed to. It's in a -- it's in a package that I would -- I would hope that perhaps the Governor would consider an amendatory veto on, because we are going to pass this, and we're going to find out later on - there'll be a new story in about another month or so - that we did a terrible thing. I just wanted to point out that this is something that should not be in the bill. We've -- we -- we said when we changed the rules, we weren't going to do this. But, you know, here we got this Christmas tree again. It's got things that have to pass, and we throw in something that's been defeated in committee. It's unfortunate. I just wanted to point it out to the Body.

PRESIDENT PHILIP:

Senator Rea, for what purpose do you rise?

SENATOR REA:

Question of the sponsor, please.

PRESIDENT PHILIP:

Indicates he'll yield. Senator Rea.

SENATOR REA:

Senator Maitland, in this, I notice that it would abolish the Office of Coal Commerce within the Department of Commerce and Community Affairs. Could you tell me what the purpose of that would be? Why would you want to abolish it?

PRESIDENT PHILIP:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. -- thank you, Mr. President. Senator Rea, this comes as a recommendation from the Auditor General that we -- that

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we're not funding these mandates, and so if we are not funding these mandates, they ought not be a requirement. We were carrying unfunded mandates on the -- on the books.

PRESIDENT PHILIP:

Senator Rea.

SENATOR REA:

Thank you, Mr. President. I am very concerned about that, because this office was created to provide information for the clean-coal technologies available to Illinois businesses and to provide information and assistance to potential developers and purchasers of Illinois coal. Both of these are very important to us, with coal being a very valuable resource in the State of Illinois and, of course, the coal technology of being able to burn high-sulfur coal in a clean way, especially after the federal legislation of -- on the Clean Air Act. So I'm concerned about that portion. I'm also concerned about marketing Illinois coal in some of the other countries and where we have the Department that's operating, and this should be, certainly, a part of that. Another portion of this bill that I'm also concerned about is that portion that allows the Anna Veterans Home to be operated through contract with the private provider, in terms of privatization. I know that in our other homes in the State, that they've operated pretty much by -- through the State in the past. Seems a little bit discriminatory. But also, whenever we talk about this particular home, it's adjacent to the Choate Mental Health Center, and the initial purpose there was not necessarily to prioritize, but -- but in those areas that might be too small to provide the services, that they could share services with the mental health services right -- or center, right next door. And so it seems to me that this is another area that we should look at very carefully.

PRESIDENT PHILIP:

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Senator DeAngelis, for what purpose do you rise?

SENATOR DeANGELIS:

Thank you, Mr. President. I rise for the purpose of describing a legislative intent in this bill. I would like to bring to your attention several provisions of Senate Bill 617, because they amend provisions which have already passed this General Assembly in Senate Bill 937 and Senate Bill 677. Can we have some order, Mr. President? It is the intention of this Body that the provisions in this bill will govern and become the law. Specifically, Section 65 of this bill amends the assessment program passed in Senate Bill 677, with regard to the intergovernmental transfer for Cook County Hospital. In addition, it makes a technical change to incorporate and adopt by reference the administrative and enforcement provisions of the existing Long-Term Care Provider Fund. Sections 40 and 50 of this bill amend the provisions of Senate Bill 937, with regard to the early retirement of teachers in the Chicago public schools. The provisions in Senate Bill 617 represent this General Assembly's latest view regarding the law, and it is our intent that the provisions in Senate Bill 617 control.

PRESIDENT PHILIP:

Senator Smith, for what reason do you rise?

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This will be my last time to speak. So I just wanted to -- first, if I may, compliment my President -- Minority President. I think he did a magnificent job, and I want to compliment you in your leadership too. But I just want to point out one part of this Conference Committee Report that -- that appears under Medicaid-covered drugs, and it's item number 39. In 1983, we passed legislation declaring that the Department of Public Aid may not prohibit Medicaid reimbursement for any antimicrobial and

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antiarthritic <sic> drugs used to treat infections and arthritics. In this Conference Committee Report is language to repeal the legislation we passed a decade ago. The reason we passed the legislation was because studies show that restricted asset <sic> to certain pharmaceuticals is not cost-effective. Now, if the Public Aid does not reimburse patients for certain drugs, those patients won't have those drugs, and their conditions will continue to get worse, for seniors and children especially. Infections have a way of spreading, and this results in prolonged hospital stays, prolonged absences from their work or school, and an increased cost to our State budget. In committee, in '93, efforts to repeal this law were contained in Senate Bill 936. And that bill received one vote in committee, and it died. Repealing this law is a bad idea. I'm going to vote for this bill, because there are too many other good points in the bill, but I think for the ill welfare of our constituents, we must address this problem in the future. I wanted to put it on record, because it is very -- important. And thank you, Mr. President.

PRESIDENT PHILIP:

Thank you. Any further discussion? If not, Senator Maitland, to close.

SENATOR MAITLAND:

Appreciate a favorable roll call, Mr. President.

PRESIDENT PHILIP:

The question is, shall the Senate adopt Conference Committee No. 2 to Senate Bill 617. All those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. There are 40 Ayes, 15 Nays, 1 voting Present. The Senate does adopt Conference Committee Report No. 2 on Senate Bill 617. The bill, having received the three-fifths majority, is declared passed. Supplemental Calendar No. 4. Senate Bill 706. Senator Farley.

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Mr. Secretary, read the bill.

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 706.

PRESIDENT PHILIP:

Senator Farley.

SENATOR FARLEY:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move to accept the First Conference Committee Report on Senate Bill 706. What this does is permits the Cook County Department of Corrections, at the direction of the sheriff, with the advice and consent of the Cook County Board, to operate an impact incarceration program for persons who would otherwise be sentenced to severe terms of -- imprisonment. Persons must meet specific requirements in order to be eligible to participate in the program. It permits the Cook County Department of Corrections, with the approval of the County Board, to enter into intergovernmental cooperation agreements with the Illinois Department of Corrections, in which persons in the custody of DOC may participate in the Cook County Department Impact Incarceration Program. This Report is nearly identical to the bill that was passed in the House, except that the substantive language concerning the supermax prison is not included, since it is not required. According to the sheriff, this amendment would permit the county to establish a boot camp, in order to hold approximately four to five sessions per year consisting of twelve to sixteen weeks each. Approximately four hundred participants would be involved in each session. Approximately one-third would be DOC inmates. I would move, Mr. President, that we do accept and pass this Conference Committee Report to Senate Bill 706, and I...

PRESIDENT PHILIP:

Senator -- Senator DeAngelis.

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SENATOR DeANGELIS:

Thank you, Mr. President. I rise in support of this bill. For those of you who may think that it only applies to Cook County, please remember that felons are sent to State prisons...

PRESIDENT PHILIP:

Time. Thank you, Senator DeAngelis. Senator Farley, to close.

SENATOR FARLEY:

I'd just appreciate a...

PRESIDENT PHILIP:

Time.

SENATOR FARLEY:

...favorable roll call.

PRESIDENT PHILIP:

All right. The question is, shall the Senate adopt Conference Committee No. 1 to Senate Bill 706. All those in favor, signify by saying Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 55 Ayes, no Nays, 1 voting Present. The Senate does adopt Conference Committee No. 1 to Senate Bill 706. And the bill, having received the required three-fifths majority, is declared passed. All right. Order of Concurrences on Supplemental No. 3. Top of the page. Senate Bill 284. Mr. Secretary.

SECRETARY HARRY:

A motion from Senator Berman to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 284.

PRESIDENT PHILIP:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. The -- the motion is to accept Amendments 1 and 2. And what it does, is that it allows --

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beginning January 1 of 1994, allows telecommunications carriers which collect municipal message taxes on behalf of municipalities levying such taxes to retain a commission of 1.75 percent of such collections as reimbursement for collections. The phone companies and the city are in favor of this. I solicit your Aye vote.

PRESIDENT PHILIP:

Further discussion? I don't see any lights on my side at all. Senator Petka. Good. Senator Berman, to close.

SENATOR BERMAN:

Roll call.

PRESIDENT PHILIP:

Thank you, Senator Berman. All right. Now, this is final action, you know. The question is, shall the Senate concur in House amendments to Senate Bill 284. Those in favor will signify by saying Aye. Those opposed, Nay. The -- the voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 52 Ayes, No Nays, 4 voting Present. The Senate does concur in House Amendments 1 and 2 in Senate Bill 284. The bill, having received the required three-fifths majority, is declared passed. Senate Joint Resolution 20. Senator Topinka. Mr. Secretary.

SECRETARY HARRY:

Senator Topinka has filed a motion to concur with the House in their adoption of Amendment No. 1 to Senate Joint Resolution 20.

PRESIDENT PHILIP:

Senator Topinka.

SENATOR TOPINKA:

Yes, Mr. President and Ladies and Gentlemen of the Senate, House Amendment No. 1 puts the task force under the direction of the Illinois Environmental Protection Agency, and it also -- also changes the reporting date from an unspecified date to July 1st. There is really no opposition. I would hope there would be no

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discussion, and we'd just get out of here.

PRESIDENT PHILIP:

Further discussion? If not, Senator Topinka, to close. Thank -- this is final action. The question is, shall the Senate concur in House Amendment No. 1 to Senate Joint Resolution 20. All those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 54 Ayes, no Nays, no voting Present. The Senate does concur in House Amendment No. 1 to Senate Joint Resolution 20 -- and the joint resolution is adopted. All right. Senate Bill 345. Senator McCracken. Read the bill.

SECRETARY HARRY:

First Conference Committee Report on Senate Bill 345.

PRESIDENT PHILIP:

Senator McCracken.

SENATOR MCCRACKEN:

Thank you, Mr. President. This amends the Rural Bond Bank Act. Allows the Lieutenant Governor and State Treasurer to send representatives who can vote at meetings on their behalf. Allows members to participate by phone, if their presence is not necessary to make a quorum. Allows county board members and ...(inaudible)...

PRESIDENT PHILIP:

Very good. That's one of the best explanations I've heard since we've been here. Now, is there any further discussion? Any further discussion? If not, the question is, shall the Senate adopt Conference Committee No. 1 to Senate Bill 345. All those in favor, signify by voting Aye. Those opposed, Nay. The voting is open. Have you all voted who wish? Have you all voted who wish? Take the record. 56 Ayes, no Nays, no voting Present. The Senate does adopt Conference Committee No. 1 to Senate Bill 345. The bill, having received the required three-fifths majority, is

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declared passed. Now, believe it or not - believe it or not - that is the last bill. Now, I -- I -- I do think -- I do think we have the adjournment resolution. I think it's a House resolution. Do we have it? Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, 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 69

(Secretary reads HJR 69)

Adopted by the House, July 13, 1993.

PRESIDENT PHILIP:

Senator Jones, for what purpose do you rise?

SENATOR JONES:

Yeah. Thank you, Mr. Speaker.

PRESIDENT PHILIP:

Whoop -- whoop -- whoop -- whoop, you just demoted me.

SENATOR JONES:

Mr. President.

PRESIDENT PHILIP:

All right. You know what, I -- I thought you wanted...

SENATOR JONES:

Well, sometime you know, it's hard to tell, you know. But, Mr. President, I want to commend and congratulate you on the Session we are just concluding. Even though we did have our partisan differences, we both believe that the best interests of the people was served here in Illinois. So, you and I - I in my new role, you're in your new role - we did finally come together to take care of the interests of the people of Illinois. And you know when you -- when you did establish that May 28th date, I was

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with you, Mr. President, because I wanted to be home during the month of June. But I want to congratulate you on the job that you have done, and wish you very well, and have a great summer. And...(microphone cutoff)...President, before I conclude -- before I conclude - and this is not a partisan gesture - but the -- our freshman distinguished Senator Gary LaPaille will have a bash at his house. Everyone is welcome. It will be nonalcoholic and so everyone is invited. And it will be fat food in there, and it will be no smoking, because all smokers -- we're going on strike for six months, as a result of that cigarette tax.

PRESIDENT PHILIP:

Very well stated, Senator Jones. Let me -- let me just give you a few of my observations, and of course, it was a new position for myself and a new position for Senator Jones. So it was kind of on-the-job training for both of us. And I want to commend Senator and his Minority for doing a good job. I think we have worked hard. We have done what I think is right for the State. I think it will reflect well on all of us. And let me just say this, that -- that we have some -- done some things I think; that we have balanced the budget under thirty billion; we have abolished the granny tax; we have tax cap referendum in Cook County - give the people an opportunity to decide what they want to do with real estate taxes; we've given the business tax credits - the first time we've done that in a long time; we have a supermax prison that's going to be built in Illinois; tollways, 355 - north and south; hopefully we've gotten rid of some of those problems with underground tanks; and we've increased money for higher education and secondary and elementary education. And, quite frankly, we've opened up the systems. We're not here till 4 o'clock in the morning, and there isn't some six-hundred-and-fifty-page conference committee report that hasn't had a public hearing. Everything has been right out in the open.

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Everybody knows what's in it and how it got there. So, I might say this, that the Governor and Mrs. Edgar have also invited everybody to the Mansion, for food and drink, immediately after the Session. And I'll let you all jump to the conclusion of what kind of drinks. And now I would recognize Senator Weaver, who moves to suspend the rules for the purpose of the immediate consideration and adoption of House Joint Resolution 69. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move the adoption of House Joint Resolution 69.

PRESIDENT PHILIP:

All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The rules are suspended. Now, Senator Weaver, on the resolution. He -- he has moved to adopt the resolution - House Joint Resolution 69. All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. We are adjourned. Have a great what's left of the summer.

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