

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDENT PHILIP:

The regular Session of the 90th General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Pastor Bill Davis, Lakeside Christian Church, Springfield, Illinois. Pastor Davis.

PASTOR BILL DAVIS:

(Prayer by Pastor Bill Davis)

PRESIDENT PHILIP:

Please remain standing for the Pledge -- Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Wednesday, November 12th, and Thursday, November 13th, in the year 1997, be -- be postponed, pending arrival of the printed Journals.

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 objections, so ordered. Committee Reports.

SECRETARY HARRY:

Senator Madigan, Chair of the Committee on Insurance and Pensions, reports House Bill 1400, the First Conference Committee Report Be Approved for Consideration.

Senator Klemm, Chair of the Committee on Executive, reports Senate Amendment 2 to House Bill 1627 Be Adopted; Senate Amendment 2 to House Bill 1633 Be Adopted.

And Senator Cronin, Chair of the Committee on Education,

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

reports Senate Amendment 2 to House Bill 654 Be Adopted.

PRESIDENT PHILIP:

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1219, offered by Senator Shaw.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDENT PHILIP:

House Bills 3rd Reading. And with leave, I will jump over the first few and start with House Bill 654 for a purpose of recall. Is there leave? Leave is granted. House Bill 654. Senator Watson. Senator Watson, to explain the amendment. Oh, excuse me. Senator Watson seeks leave of the Body to return House Bill 654 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objections, leave is granted. On the Order of 2nd Reading is House Bill 654. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senators Watson, Philip and others.

PRESIDENT PHILIP:

Senator Watson, to explain the amendment.

SENATOR WATSON:

Well, Mr. President, this is a two-hundred-and-some-page amendment. It deals with the education issue that we discussed yesterday in the Education Committee. It passed out 8 to 2. If it's okay with the Body, I would just like to have the amendment adopted -- move for its adoption and discuss the amendment and debate the amendment on 3rd Reading, if that would be okay with the Body.

PRESIDENT PHILIP:

Is leave granted? Leave is granted. All those in favor,

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

signify by saying Aye. All those opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House -- House Bill 1627. Senator Dillard. Senator Dillard. AP has requested permission to photograph the Session. Is leave granted? Leave is granted. Senator Dillard, do you wish this bill to -- be returned to 2nd Reading for the purpose of amendment? Senator Dillard seeks leave of the Body to return House Bill 1627 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. On 2nd Reading is House Bill 1627. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Dillard.

PRESIDENT PHILIP:

Senator Dillard. Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen. This is what is commonly referred to as the "gift ban amendment" and it deals with the ethics of State officials. I would like leave to explain it in detail and answer whatever questions the Members may have on 3rd Reading, and I would move its adoption.

PRESIDENT PHILIP:

All those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Are there any more -- further Floor amendments to be considered?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading. House Bill 1633. Senator Rauschenberger.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Senator, do you wish House Bill 1633 to be returned to 2nd Reading for the purpose of amendments? Senator Rauschenberger seeks leave of the Body to return House Bill 1633 to the Order of 2nd Reading for the purpose of amendment. Hearing no objections, leave is granted. On the Order of 2nd Reading, House Bill 1633. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Rauschenberger.

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the Procurement Code bill that was heard in the Executive Committee last night. I'd appreciate adopting it to House Bill 1633.

PRESIDENT PHILIP:

Any discussion? If not, all those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Rauschenberger.

PRESIDENT PHILIP:

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 is a technical correction to a drafting error that was found in the bill that corrects a portion of the prevailing wage section. I'd appreciate its adoption.

PRESIDENT PHILIP:

Any discussion? If not, all those in favor, signify by saying Aye. Those opposed, Nay. The Ayes have it. The amendment is

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

adopted. Are there any other -- further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDENT PHILIP:

3rd Reading.

PRESIDING OFFICER: (SENATOR DONAHUE)

With leave, Tony Bateman, Illinois Information Service, requests the ability to videotape. Is leave granted? Leave is granted. With leave of the Body, we will return to the Order of House Bills 3rd Reading. Top of page 3 is House Bill 1627. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1627.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the Senate. What's on the board is not the proper bill, but this is House Bill 1627 and it creates the State Gift Ban Act. It prohibits the solicitation or receipt of gifts by legislators, elected or appointed officials, judges, and employees of the executive, legislative or judicial branch which are given to us by a prohibited source.

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second, Senator Dillard. We've got a long day. We've got some serious issues before us. If you just keep your conversations down, your conferences off the Floor, and give our attention to Senator Dillard.

SENATOR DILLARD:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Thank you, Madam President. Importantly, this gift ban includes local governments and school districts. Prohibited sources include lobbyists; persons seeking official action by doing business or seeking to do business with, or conducting activities regulated by, or who have interests which may substantially be affected by the official duties of we in the General Assembly, an elected official, a judge, or an employee of these governmental entities. The gift ban is also extended to spouses and our immediate families who live with us or a local official, judge, employee or an official of State government. This bill would create three ethics commissions, one for each branch of government. The legislation is an attempt to prohibit the giving or receipt of gifts from a person or entity to a government official with whom the person or entity simply does business with. The gift ban and ethics commissions are modeled on parts of the Governor's Executive Order No. 2, which he signed recently, and any exceptions to the gift ban are modeled on the rules of the United States House and Senate. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Leave has been requested -- or, permission has been requested with WCIA-Channel 3 to videotape. Leave granted? Leave is granted. Is there discussion? Is there discussion? Seeing none -- oh! Senator Berman. Got to be quicker.

SENATOR BERMAN:

Thank you. Questions of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Berman.

SENATOR BERMAN:

Can a lobbyist buy me lunch?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SENATOR DILLARD:

Yes, if you eat it on the premises of where he purchases you the lunch.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

So if he comes in with a McDonald's that he bought a block away, I can't eat it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Senator Berman, there's also an exception for nominal value. So if somebody brings you a lunch in your office in the Capitol Building, especially from McDonald's, which is a great Illinois corporation, that's probably of nominal value and I think you could eat that lunch.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

All right. That -- that was really what I was worried about. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies, Gentlemen of the Senate. Let me see if I get this straight, 'cause we just got this. We're not that familiar with it. If my father, who is now deceased, were still alive and I were a lobbyist and I invited my father over for dinner for Christmas, could he eat the dinner?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Certainly, Senator Jacobs. There are what I call some commonsense exemptions: a gift from a relative, inheritances, things of that nature. So, yes. And there's also an exemption for personal hospitality, if you invite someone over to your home. So there are some commonsense exemptions. You know, I have thought long and hard about this bill for a number of weeks, as I've worked on it, and I wanted to make sure that we put together something that was reasonable, something that provided the types of ethics to the people of Illinois that they want to see, but yet, having served in the General Assembly, understanding what our life is really like. And I wanted to make sure that not only did we protect the public of Illinois, preserve our integrity, but also make this something we can live with. And, Denny, I think this is something we can live with.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Rauschenberger. Further discussion? Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Yes. I have a question of the sponsor, if he would yield.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Demuzio.

SENATOR DEMUZIO:

Senator Dillard, my sister's a lobbyist. Is -- can I give her a Christmas present, but she can't give me one? Is -- is that -- is that what this does?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Senator Demuzio, you obviously are -- are going to have to -- to look at the law and use your own judgment, but I think if your sister, Marlene, gives you a gift as your sister and it is clearly a gift, in your judgment, that is not used to influence your

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

decisions as a State Senator, that gift is certainly allowed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio.

SENATOR DEMUZIO:

Well, normally, if she's within the sound of my voice, it's usually a very inexpensive, cheap gift, so...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

And -- and as I told Senator...(microphone cutoff)..., Senator Demuzio, there's an exemption for nominal value. So if your sister is cheap, it's okay under that exemption, too.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR DILLARD:

Thank you, Madam President. We have a very long day with some very important issues, including education funding and reform. I think this is a reasonable bill. It provides greater accountability to the people of Illinois, and I would appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

This does require three-fifths majority vote. And the question is, shall House Bill 1627 pass. 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, there are 58 Ayes, no Nays, none voting Present. House Bill 1627, having received the required three-fifths majority, is declared passed. Senator Rauschenberger, on House Bill 1633. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1633.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 1633, as amended, is the Procurement Code reform that has been working in this Chamber for nearly five years. It's original origins were the Blue Ribbon Task Force appointed by the General Assembly before I was elected, that was chaired by the Auditor General. There's a Blue Ribbon report. This is work that Penny Severns worked hard on, Gary Hannig in the House, Jeff Schoenberg has spent a great deal of time working on. I became involved back in 1994, and helped, along with Common Cause, develop what we think's a pretty reasonable plan. We think we have solved nearly all of the constraints and problems and concerns about the bill. It changes the no-bid threshold in State government from twenty-five thousand to ten thousand dollars. It increases sunshine in the process dramatically. Requires electronic publication of all bids and -- and offers to bid. It improves the process dramatically. We had a hearing on it in the Executive Committee yesterday. I would hope most people are familiar with the bill. I'm happy to answer questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. I just want to applaud Senator Rauschenberger and -- and all those who have been involved, for this issue is one that is, I think, of critical importance to the State of Illinois and, frankly, the taxpayers of the State of Illinois who hope to have us deal with their tax dollars in the way that they deal with their budgets at

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

home. This is a tremendous step forward, and for all who have been involved not only with this specific bill, but with the Blue Ribbon Committee many years ago, I just want to say it's major progress and I'm delighted to be voting for it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank -- thank you, Madam President. I wonder if the sponsor will yield for a couple of questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hawkinson.

SENATOR HAWKINSON:

Senator, as I -- as I'd mentioned to you earlier in the week, I want to clarify, I think, some LRB changes on pages 52 and 53 of the bill to confirm that we're not changing the law in regard to those who have been convicted of bribery in -- in this State or other states in regard to official business. Under the current Statute, which is found at Chapter 30 ILCS Section 505/10.1, it prohibits persons who've been convicted of bribery or the -- the businesses that employ them of doing State business unless that employee is no longer employed by the corporation and two other conditions are satisfied under -- the current section (b). There is then a paragraph that concludes the Section that, in my opinion, modifies that section (b) but in no event, under current law, allows a corporation to dissolve and a new business entity to be formed and that that new business entity is still prohibited under current law from doing business with the State, unless all the conditions of paragraph (b) are fulfilled. Under your bill on pages -- bottom of page 52 and 53...

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second, Senator Hawkinson. Please, Ladies and Gentlemen, keep your voices down and take your conferences off the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Floor. Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Madam President. On -- at the bottom of page 52 and 53, it's my understanding that LRB has renumbered that concluding paragraph by labeling it a separate section (c), and -- and there might be those who would argue that that renumbering means that it no longer modifies section (b) but, in fact, creates a new Section which arguably would allow a corporation or entity to be reformed under a different corporate name and without meeting the conditions of subsection (b) to now do State business. I just want to confirm that you intend no substantive change by that renumbering and, in fact, it is not the intention to allow any business to do business with the State where they have an employee who has been convicted of bribery, unless that employee is no longer with the business and the other conditions of subsection (b) have been satisfied.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Hawkinson, I appreciate that question and clarification. That is clearly my intent and the intent of the bill, and I appreciate your raising that for legislative intent. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the sponsor yield just for a couple quick questions?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

It was my understanding, in the original version of this, and I don't know if it's still in there or not, that a change order that a contractor may have would have to go back out for bid. Is that now removed?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you for raising that question. This bill, because of conditions that have arisen in the last year or so, clearly requires both change orders and renegotiated contracts to go back through the process. It's our intent to read into the -- into the record clarification on how the thresholds for change orders and rebids would be handled by the procurement officers. Under the bill, the procurement officer for IDOT, for example, or the procurement officer for CDB would be permitted to go to the policy board and establish a threshold - maybe, say, hypothetically, seventy-five thousand for vertical construction, or -- or maybe a hundred thousand for road - in which they would not have to rebid but would have to just publicly disclose. So it -- clearly, change orders and renegotiated contracts, it's in the intent of the bill that they have to be publicly disclosed, and the procurement officer would have to set a threshold for which they would have to be rebid. But I appreciate your raising that for clarification.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

And then I probably will assume with that, in those -- those rules or those -- that discussion, the size of the project would probably be taken into consideration so the amount would vary. Secondly, in the past we have always taken proposals from engineers and architects, and for an engineer or architect, in my

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

estimation, it becomes very difficult to bid. Are -- are they, under this proposal, still going to be able to -- to give proposals, rather than to go for -- for bidding?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Senator Jacobs, and -- and I appreciate you raising that question for clarification. Under this proposal, they would be permitted to submit competitive proposals, just as they do currently. It would be a two-part proposal - one dealing with the -- the substance of the proposal and a separate section dealing with the price. It's basically a recodification of exactly the current process used at -- at CDB. And to -- CDB is very comfortable with it and, to the best of my knowledge, so are the architects and the engineers.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Madigan.

SENATOR MADIGAN:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Madigan.

SENATOR MADIGAN:

Senator Rauschenberger, I have a series of three questions to establish legislative intent as a follow-up to, I think, Senator Jacobs' queries. It is my understanding that the Department of Transportation annually issues between six hundred and fifty and seven hundred change orders in excess of thirty thousand dollars and that it is not unusual for multiple change orders to be issued on multimillion-dollar contracts. As a practical matter, it is not economically feasible for IDOT to shut the project down and to delay it for as much as two months to advertise and competitively bid the change order because, one, the project completion will be

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

delayed at substantial cost to the traveling public and, two, IDOT would have to pay delay damages to the current contractor. As the bill is read, I believe that IDOT could have the existing contractor perform the change order work under either the emergency procurement exception or the sole source exception. Do you agree?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Senator Madigan. Yes, I agree, and I would also point out that in addition to the emergency procurement section or the sole source section, we would expect the procurement officer for IDOT to establish a threshold, which would even make those two exemptions unnecessary in most cases.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR MADIGAN:

And would you agree that on major road construction projects, Senator Rauschenberger, it would be in the public interest for IDOT to proceed in that fashion rather than shutting down an uncompleted project, tying up traffic and rebidding a small part of the job?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I would agree absolutely.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR MADIGAN:

Finally, am I correct that the intent of the bill is to authorize IDOT to continue to prequalify highway construction contractors and engineers?

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes, that's not only clearly the intent, we feel it's pretty explicit in the bill, and we're very happy to answer these questions for legislative intent to make sure my friends at IDOT feel comfortable about moving forward with the roadwork of the State.

PRESIDING OFFICER: (SENATOR DONAHUE)

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

SENATOR RAUSCHENBERGER:

I would just appreciate a favorable roll call and appreciate everybody's cooperation and help with this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 1633 pass. 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, there are 55 Ayes, no Nays, none voting Present. House Bill 1633, having received the required constitutional majority, is declared passed. ...stand at ease for just a few seconds, please. Senator Peterson, for what purpose do you seek recognition?

SENATOR PETERSON:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR PETERSON:

I would like to introduce Samantha Meyer, a Honorary Page for the Day, from my district, and I'd like the Senate to welcome her today.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Please stand to be recognized, Samantha. Welcome to Illinois. Senator Parker, for what purpose do you seek recognition?

SENATOR PARKER:

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

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR PARKER:

I am delighted to have with me today Mark Damisch, the Mayor of Northbrook, a very terrific village mayor in my district. And he is up in the gallery over here. Please stand.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized? Welcome to Springfield. Senator Rauschenberger, for what purpose do you seek recognition?

SENATOR RAUSCHENBERGER:

I'd just like it to reflect in the record that in my excitement to discuss the procurement bill and gathering my paperwork up, I neglected to lean over and -- and vote my Yes switch on the -- on the gift ban that Senator Dillard worked very hard on. So I'd appreciate having the Journal reflect that.

PRESIDING OFFICER: (SENATOR DONAHUE)

The record will so reflect. It is requested for News 25 WEEK-TV to videotape. Is leave granted? Leave is granted. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Refer to Education Committee - Senate Amendments 2, 3 and 4 to House Bill 1005, Senate Amendment No. 2 to House Bill 1098; refer to Insurance and Pensions Committee - Senate Amendment No. 2 to House Bill 1296.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Filed by Senator Stanley Weaver, November 14, 1997.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Karpiel, for what purpose do you seek recognition?

SENATOR KARPIEL:

Thank you, Madam President. To announce a Republican Caucus in Senator Philip's Office. For all of you within hearing of my voice, there is a Republican Caucus in Senator Philip's Office that will last for about forty-five minutes. Please be there promptly.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will stand at ease until 11:45.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will come to order. Resolutions.

SECRETARY HARRY:

Senate Resolution 129, offered by Senator Syverson.

And Senate Joint Resolution 44, offered by Senators Maitland and Philip.

They're both substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1219 {sic} (1220), offered by Senator Jacobs.

(Secretary reads title of bill)

(Senate Bill 1221.)

(Bill within parentheses submitted in writing, but inadvertently

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

not read into record.)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

News Channel 20-WICS News TV has asked leave to videotape. Leave granted? Leave is granted. On the Order of House Bills 3rd Reading, on the bottom of page 2, is House Bill 654. Senator Watson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 654.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Madam President. And this is the school reform package. Passed out of the Education Committee yesterday afternoon 8 to 2. We amended the bill just a moment ago with this language, and what I'd like to do is -- as I mentioned before, this is almost a two-hundred-page amendment -- I'd like to just go through and roughly and briefly mention what the content is and then, obviously, open it up for questions. The revenue sources that are generating the additional revenue include cigarette taxes, a message tax, a tax we call a deadbeat tax, and a graduated tax on riverboat gambling. We have a -- expenditures -- create a new adequacy grant that raises all the local school districts to forty-one-hundred-dollar-per-pupil expenditure during this particular calendar year. So for '97-'98, your school districts will be given an increase to forty-one hundred dollars per -- per student. We establish a new one-time low-income student formula that generates thirty dollars and fifty cents per pupil that are defined as a low-income student. The cost of that is roughly ten million dollars. The -- one -- obviously one of

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

the major provisions of this is raising the -- what we call foundation level. In the out-years, we -- in '98-'99 we raise the foundation level from that forty-one hundred dollars that I mentioned to four thousand two hundred and twenty-five. In '99-2000 it goes to forty-three twenty-five, and in 2001 -- 2000 to 2001 it goes to four thousand four hundred and twenty-five. We establish a -- a new formula by which the money will be distributed. We also have a continuing funding provision here that guarantees that the foundation level that we've established here will be met and the obligations are that they will be met either by the revenue sources that we've mentioned before or by appropriations from the General Revenue Fund. So this is a continuing funding proposal that will guarantee schools the out-year foundation level. There's no local weighting factors. There is a new grant - this is in the out-years also - of -- poverty grant for low-income students. There is a hold harmless provision that's -- all districts will be held harmless against current-year funding. The double whammy is eliminated with a separate appropriation. We establish in the out-years a new advisory board, Education Funding Advisory Board, that will use the Ikenberry Commission language and report to us on January 1, 2001, as to what they think the adequacy level should be in the out-years after the -- the sunset of the forty-four thirty -- or, forty-four twenty-five. The school infrastructure program, a grant program -- bonding program is established, a 1.4-billion-dollar school construction program that's funded by a message tax. The -- also included in this is some additional funding for a technology revolving loan program. We also help those districts that previously have stepped to the plate and -- and offered a referendum locally. Over this year, 1997, and '96, those districts that have done that will get a one-time grant for debt service. The grant index for the bonding program will be

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

thirty-five percent to seventy-five percent, depending on local wealth. There's a whole litany of school reform measures that are included. Many of 'em I'm not going to mention; they don't seem to be much interest or controversy. I'm going to talk about the ones that I think has created some interest. We create two new block grant programs. We allow for districts to hire registered nurses to provide professional nursing services. If that school nurse duties does not include teaching or the exercise of -- instruction, why, the nurse would not have to be a certified school nurse. We allow for school districts to enter into unilateral contracts with third parties to provide noninstructional services. In the area of rifting, we allow a thirty-day notice before a noncertified employee would be terminated. We establish administrator contracts, that they can either be a one-year contract or a multiyear contract up to five years based on a performance-based contract. We do establish some administrative caps. We -- we create more incentives for consolidation. That -- we establish a three-tiered teacher certification process, and we also create a five-year renewal process on teacher certification. The rifting notification for teachers is changed from sixty days to forty-five days before the end of the school year. There is a -- extension of the tenure. The probationary period goes to four years. And we changed the remediation process. We allow for the -- the period of remediation to go to ninety school days. And charter schools, if a local district denies a charter school, we do allow for a appeal process to be -- to go to the State Board of Education. We allow two members -- new members to the Education Labor Relations Board, and we extend the strike notification period from five to ten days. Also in here is a provision in regard to the Chicago Teachers Retirement System. We allow the funding of that to go to ninety percent of the -- of the funded liability, and as a result

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

of that, there's no State dollars involved, but as a result of this, it would help free up possibly fifty-four million dollars over a five-year period. Madam President, that pretty well explains the content, as brief as I could, of the bill, and I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

I think the importance of this piece of legislation, I would like to ask all Senators to please be in your seats, staff that is not absolutely integral to this go back along the walls or off the Floor, and conferences taken off the Floor. Discussion? Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Thank you, Madam President, for recognizing the importance of this bill. And I rise in strong support of this bill, and I would appreciate a moment or two to point out why this is one of the most unique and important pieces of legislation that any of us will have an opportunity to vote on. We vote on important bills and we vote on unimportant bills, but I will tell you that if I was going to pick, in all the years I've served here, and those are many, the top five important bills, this is one of them. And the reason I say that is because it establishes a mechanism for funding which has never existed in Illinois for the -- for the schools and the schoolchildren of Illinois, but it exists in this bill. First, before I address the funding process, let me point out that there is an element in this bill that virtually every school district in the State sorely needs and that is the capital construction element in this bill. We took a survey, the Democratic Senate Caucus, last year, where we sent out questionnaires to every school district in Illinois, and the response was overwhelming. First of all, as you know, most surveys, if you get a five- or a ten-percent response, that's a

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

pretty good answer. We got over fifty-percent responses, and it spelled out the needs for capital improvement. We talk about computer programs. We have schools that if you buy the computers, the electrical system in the schools won't be able to handle those computers. So what have we accomplished for our children? Nothing. I have schools in my district where the children sit in bathrooms for their classes, where the assembly hall has been divided by temporary structures which now house four or five different classrooms where you hear everybody else's class because there's no money to expand because of increased enrollment of -- of these schools. And that's in the -- in the 9th Senate District. I'm sure that every one of you can stand up and give me similar examples. So the capital construction program is very, very crucial. There are reforms. And, you know, the word "reform" is interesting because it's like beauty - it's in the eyes of the beholder. But I have distributed to the Members on my side of the aisle a listing of the new so-called reforms that are in this legislation that were not in the legislation that was presented from the Governor and passed by the -- by the House in the spring. And it's a list of about seven or eight or nine reforms. And I can understand why some of my friends in the unions have some problems with those elements, but I would respectfully suggest, Ladies and Gentlemen, that if you look at the new items that are in this bill, which may be onerous from the point of view of a union leader, from the point of view of you and me in weighing these additional reforms versus the funding and capital improvement for all the children in Illinois, you've got to vote Yes on this bill when you weigh the pluses and the minuses. Regarding the funding, I want to respectfully suggest to some of the media that have either talked about this bill in editorials or on the television or in the radio, they make a mistake. There are some of the increased taxes or new taxes that

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

are in this bill that I don't like, and there are some of the taxes that I do like. I introduced a bill five years ago for a graduated riverboat tax that has sat in Rules Committee for five years, and it's now part of this bill. I like that. If I represented Elgin, I probably would say I don't like it. But I think we all have some problems with a one-percent phone increase or a two-percent phone tax increase -- message tax increase, but I think it's very important to recognize: The funding of education spelled out in this bill is not - I repeat, is not - dependent on the taxes that are spelled out in this bill. The taxes are an additional source of general revenue to the State of Illinois. But what this bill has and why it's one of the most important bills that we will ever vote on is that it introduces a new funding mechanism for all the children of Illinois. It is a continuing appropriation, and as was spelled out by the -- by the witness yesterday from the Governor's Office, what we have in this bill is that the cost of State funds for every school district in Illinois will be appropriated on a continuing appropriation method so that the ups or downs of these taxes in this bill, or any other taxes, are irrelevant to the consistent and reliable funding of our schools that are set forth in this bill. A continuing appropriation requirement says that schools will be funded as we promise. This bill relieves every one of us of the accusation of supporting a shell bill. We've all been accused of that because of the Lottery finagling, where we thought Lottery money was going to schools and it didn't go. But three years ago, two years ago, we passed the bill that now all the money does flow to education. But all of that is superseded by this procedure, and what we have done is to say we have made speeches saying that education is our number one priority, and by this bill, we keep that promise. We will fund the children of Illinois the same way we fund our own pensions in Illinois. We've raised the children up to our own

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

interest level. That is unprecedented, Ladies and Gentlemen. It is what we speak about and now, with an Aye vote, is what we will deliver on. We have promised the children of Illinois, and with this bill, we will deliver. Let me add one more point to some of my downstate colleagues. If you look at your chart from the printout - a number of you have asked me what some of these printouts mean - if you look at the 9th Senate District, there are, I think, five school districts listed on the -- in the 9th District. I think one school district gets fifteen hundred dollars - increase. Every one of my other school districts get zero. Zero. But what it means is that I represent, in my suburban school districts, high expenditure districts that are over the forty-two twenty-five level, so they don't see any new money. But the importance of the zero on the printout is that they don't lose any money. My high schools don't lose any money by a change in the weighting formula. So they are protected. They don't lose any money. We have a hold harmless so they don't lose any money. We have eliminated a requirement that they go back to referendum so they don't jeopardize their funding sources. So my suburban school districts, I would suggest to you, are content that they're not hurt. And for the downstate school districts that are underfunded, they are dramatically helped. And when you weigh the reforms that the unions have problems with and the substantial new money to those underfunded schools and the new mechanism to protect that funding mechanism through the year 2001 at least, I urge you - I urge you - for the seven hundred thousand children in Illinois that attend underfunded schools, please, for their good, please vote Yes. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. I would just like to say that

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

while it sounds good to say that we're doing all this for the kids and funding the schools, no one has been willing to deal with the concerns of the caucus which I represent, to keep these children from going to the penitentiary and losing any opportunity to get any education. No matter how much money you put into the process, if the children aren't able to attend school because we're trying them as adults at thirteen, what difference does it make? And I would just -- I'm just making this -- this comment, and I will be finished, because there are a number of things in this bill that are good, there are a number of things that go unaddressed. And until we are willing to stand up and address those issues, it's not going to matter how much we put into the schools. In addition, we've already seen revenue drop when we raised the cigarette tax again, and here we are about to raise it again. And every district that's on the border, your constituents are just going to go over to Indiana, over to Wisconsin, over into other states, purchase their cigarettes, their gas and everything else, and revenues that we think we're going to realize simply are not going to be here. One day I pray that all the caucuses within this Chamber will be respected. Unfortunately, that day has not come.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Madam President and Members of the Senate. Today we have before us the only education funding bill that will be allowed for a vote this fall Veto Session. For the second straight Session this year, me, as a Senate Member and an Education Committee Member, has been denied a chance to vote on Governor Edgar's plan to permanently fund our public schools. I resent that the Governor's plan has never been allowed for a vote. This bill is another misguided attempt to fund our educational

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

system, one of many poor ideas that has been put forward this year. First there was calls for a tax on junk food, then there was a sin tax, and then there was the idea of reinstating the State income -- or, the State sales tax on groceries, which all would have been devastating to families who live paycheck to paycheck. Today we have an even more questionable proposal: balancing the future of our children's education on taxing cigarettes, gambling and on phone calls. Again, we're sending a message to our children: The more you smoke, the more you gamble, the more you talk on the phone, the better your education is going to be. And worst of all, this bill, to me, is very suspicious. Hold harmless? Don't count on it. Districts that receive adequacy grants in the suburbs probably will not receive any of these grants next year. That's a cut - in some cases, a half-a-million-dollar cut. That's not harmless; that's harmful. There's no guarantee that many districts in Illinois will not be cut next year. There is no hard and fast guarantee in this legislation. And this district will likely be in the south suburbs where we have special needs and it costs a lot more to educate children. There is no permanent source of funding for our schools and not a penny in tax relief. By voting for this bill, the Senate is instead promoting increased taxes for those on fixed incomes, such as our senior citizens. Seniors who use their phones will be taxed more. We all must use our phones, regardless of our income, and yet seniors are not getting any property tax relief either. Does this make sense? Our area has some of the highest property taxes in Cook County, and this week the Chicago Sun-Times released a study saying that suburbs in southern Cook County have trouble attracting new business because they have the highest property taxes in the county. And let me quote what the Sun-Times says: The problem is a result of having fewer businesses spread over a larger area with a lot of public schools

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

to finance. I am proud this week to have had my son, Matthew, with me and as a Page on the Floor of the Senate. But after hearing some of the things going on and the debate on this bill, I'm not so sure I am proud. It's very unfortunate that Matthew has to see the trickery that some are calling the solution to our educational problems in Illinois. And to the funding problems at his middle school in Crete, I'm going to send Matthew and all the other children the right message that we all should and vote No on this legislation. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs. Senator Severns.

SENATOR SEVERNS:

Thank you, Madam President, Members of the Senate. The debate over educational funding has taken place at least for the last twenty years. We've seen the Senate Task Force on Elementary and Secondary Education chaired by both Senators Berman and Maitland. We've heard about the chief plan that the Illinois Farm Bureau has put forward. We all read the -- or, at least read part of the Ikenberry report that was concluded. And last year -- or, last spring we had, at long last, a plan that took the major positive components of each of those plans and developed a plan that Governor Edgar put forward. His plan, of course, without debating that since we're on this bill, would have provided, as we all know, the single-largest property tax relief in the entire history of the State of Illinois, but also, and very importantly, it would have finally had Illinois move forward into the next millennium with a very proud and respectable contribution to educating the over nine hundred districts and funding the over nine hundred districts in the State. If there's been a common denominator in all of those plans it's that we were supposed to shift the funding on education from the overburdened property taxpayer toward a fairer approach. Most of us thought, and certainly the Governor

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

promoted, that while no one likes taxes, the fairest approach was to use the income tax. And yet when I look at the plan that's been put forward and we're debating today, I think it falls far short of meeting any of those goals that were talked about and have been debated and bandied about for at least the last twenty years. Our Constitution, as all of us knows, says that we are supposed to be the primary fundor of education, and yet today we rank at 32.7 percent of State support of education. We rank forty-eighth in the nation of State support of education. And that means that those who have to pick up the remaining amount are the property taxpayers who just a couple of weeks ago across this State in most communities -- who said they've had enough. They're not going to dig more deeply because they can't afford to dig more deeply into their property taxes to fund schools when the State is supposed to be putting -- footing at least the primary part of the bill. The plan that we're debating will take us up, perhaps, to forty-seventh in the nation, but it will still have Illinois as one of three states that still relies so heavily upon the property taxpayer to fund education. There is something fundamentally wrong with that, after all the rhetoric and all of the debate and after the reality that I think any of us who count votes would suggest that there are more than enough votes in this Chamber to pass the Governor's bill. I was excited enough and believed enough that I even went on as a sponsor of that bill. I really thought that as the Governor announced in his -- in his State of the State and Budget Message that this truly was going to be the year of education. And yet, what do we have? We have a plan that -- that will ask that we rely on adults and kids to smoke more and to gamble. Why do we fund our schools in -- in a way that's going to ask us to rely on those measures? It simply doesn't make sense. And then, as it's already been stated, we're going to ask seniors to pay more, seniors and everyone to pay more every time

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

they pick up the telephone to use it, or the small businessmen to fax a message anywhere in their business. I think that -- I think that if we're serious about funding education and meeting the commitment that I bet every elected official in State government has made across their districts, across this State, if they think this plan is going to do that, I think we're in for a rough winter. And when I look at all the commitments that many of us, most of us, have made across our districts that we're going to do something real, that we're going to provide property tax relief and adequate funding to education, I think we're left with the hollow apology of T. S. Elliott who wrote: That is not what I meant at all; that is not it at all. Thank you, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

WAND-TV 17 requests permission to videotape. Leave granted? Leave is granted. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President - excuse me - and Ladies and Gentlemen of the Senate, I don't know how some of you feel, but I can tell you the people in my district don't want me to raise their income taxes, and as far as property tax relief, that's why we passed the caps giving counties the option to put them on. Now, this is a bill that was worked very -- worked on very hard by bipartisan effort. I commend Senator Berman, I commend Senator Watson and all others who worked on this compromise. It may not be the best bill, but it's a bill -- it's in the right direction. And as far as encouraging smoking of youngsters, this bill doesn't do that. We have laws against that. You know it and I know it. As far as gambling, we have the casinos. Why shouldn't they pay a little more to help education? And as far as a five-percent increase on fines for income tax deadbeats, why not? I pay my income tax, and if I don't pay it timely, I have to pay penalties, and that goes for all of us here. And as far as a two-percent increase on

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

phone, fax and E-mail service, well, you might say I'm a small business person because I'm a lawyer and I run my own business. I have to pay that increase, but I'm willing to do that if it will help education for the poorer areas. And I think it's high time we look at the meat of the whole thing. Does it help? Yes, it does. This bill does help because it does go on and does permit a raise to forty-one hundred dollars, at least, per student in the poorer sections. And the next three school years, a formula level up to forty-two hundred and twenty-five dollars per student, which is the amount, if I recall correctly, which was recommended in the Ikenberry report. And then it goes on further. And I think we should keep in mind that we've got to do something. It may not be a perfect bill, but it is a bill in the right direction. And the people who worked on it for so many hours and hours and hours and months, I think are to be commended for their efforts, and I stand in full support of this bill. And I think we should stop trying to pontificate how much we could do more with income tax, because maybe they want it in your district, but they don't want to raise the income tax in my district. And I can honestly say that if we're helping the poorest districts, maybe it's more cost to our districts financially, but at least we're helping the schools in the poor districts achieve a level of finance. And I certainly urge favorable support of this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. We've, I think, have all made promises over the years and I think that certainly there has been general consensus that we must move away from the property tax and find another way, a fair way of funding public education. And last year we all got very excited because we heard everyone say "This will be it. This will be the year." And so in our

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

districts we told everyone that this is it, this is the best opportunity we've had to really reform how we finance public education. But today we find ourselves voting on a bill that will help. No one can deny that. It certainly helps, but it does not fulfill the promise. So promises made and promises unkept. And I don't think anyone in this Legislative Body should feel good about that. I agree, no one wants to pay more income taxes, but I think that out there we did find a lot of people, a lot of constituents, who, when explained to what exactly we wanted to do - raise the income tax and guarantee property tax relief, taking the burden away from seniors on fixed income and others who are just struggling to be able to hang on to their property - when we explained that, people listened. People understood. My district is going through reassessment right now. I'm going to have to explain to those seniors on fixed incomes that are seeing their property taxes rise not just because of reassessment, but also because of -- because of the income -- the property tax increase that the Chicago Board of Education has requested, I'm going to have to explain to those seniors that, "No, we were not able to keep our promise", but that instead they're going to be paying more for their telephone calls. That's tough. And also I'd like to add that much has been said about the Chicago public schools and the improvements in the Chicago public schools and, yes, there have been improvements. But let me tell you, we're spending about sixty-six hundred dollars per pupil, maybe even more, and still we have classrooms without supplies, still we have buildings that are crumbling, and still we have inadequate training for teachers. We still have inadequate resources. And so, while we're saying that this is great and we're bringing schools up to a foundation level, and certainly I'm happy for those schools, the fact remains that we are far, far from funding schools at a level -- at a level that guarantees a quality education throughout the entire State, not

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

just in the districts that are property rich. Once again, we stopped short of our goal, but it is what is in front of us, and it is a proposal that's going to generate more funds for our districts. And for that reason, I'm going to vote for this measure, but I'm not going to feel really good about having not kept our promise to the constituents in my district.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I looked this over this morning when I got it, talked about it yesterday. Take a look at it. It's our school funding bill, a long-awaited school funding bill. Been talking about it for the last couple of years. This was going to be the year, so I took a look at it. No property tax relief. Hurts the riverboat cities. We increase the taxes of the riverboats. Was meant to fuel local economy. Nothing goes back to the local economy. The State gets it all. Doesn't do much for the riverboat areas. Actually hurts 'em. What's it do for consumers? It hits us with a two-percent tax -- tax increase. The other tax increases are regressive. Hurts all our border towns. So all our border towns get hurt with the cigarette tax. Look for the hold harmless? That's gone. There's no hold harmless. It increases taxes. We look at this continuing appropriation and we say, "Well, okay, if these regressive taxes aren't there, where do we get the money to continue the appropriation?" Another major problem. And then one of the biggest things is, we're asked to swallow all of this and seventy-five percent of the districts don't get a dime extra. And this is brought before us to vote. So I said to myself as I looked over this, I said okay, this is such a bad vote, something's going on politically. There's got to be politics behind this 'cause this -- nobody could really ask for us to vote.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Somewhere, somehow, on this bill, there's something in it for the Senate Republicans or Pate Philip. I asked around. I asked my colleagues. There's nothing in it for them. There's no political reason to vote for this or to bring this bill. Okay, well, Senator Jones' got something up his sleeve. I asked him. No political reason. I asked across the rotunda. No political reason. The Governor's not even running anymore. What's he doing this for? I stayed up all night trying to figure out the political reason. And you know what? There is no political reason. There's no politics to it. Everybody gets hurt. Nobody really likes this. The unions are ready to lynch the Democrats. The property tax people and the people wanting property tax relief are ready to beat up the Republicans. The House isn't happy. The Senate isn't happy. There's no political reason here. It's probably one of the few votes we've had recently that politics aren't behind it. So here's all you have to ask yourself when you vote Yes or No: You put all those reasons not to vote for it in one side of the scale - and they are many. There's no property tax relief. How could you be happy about that? And everything else we listed. Where's the money for everybody's school districts? It's not there. We're asked to vote for tax increases without getting money for our own school districts. Why would we do that? You list them all. And then on the other hand, you only have two things: A continuing appropriation like we do for our own pensions and that seven hundred thousand students are being brought up to a minimal level. There's all kinds of kids being educated on two thousand, twenty-five hundred dollars. Well, now you just ask one thing: Are those seven, ten, twelve things enough where I have to vote No because it's not outweighed by bringing up the minimal level and getting the appropriation funding -- continuing appropriation. I would say that if you take them on balance, you have to vote Yes. It's more important to get

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

that continuing appropriation and get that funding level up.
Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Butler. Let's have your attention, please. Give Senator Butler your attention. Senator Butler.

SENATOR BUTLER:

Thank you very much, Madam President. Ladies and Gentlemen, in an exquisite piece of timing, I think most of us this morning received a bulletin from the Illinois Association of School Administrators, and in it they report that on November 4th, 1997, forty-five percent of all the referendums that were on the ballot passed and fifty-five percent failed. So that means, in my estimation, forty-five percent of the people in those districts -- or, I -- forty-five percent of the districts can hold up their head because they have assumed responsibility for -- for educating their children. And in glancing through this -- and in glancing through this, I find that so many of those that failed to pass referendum are those who are asking for the most money from the rest of the State. I can come to only one conclusion and that is they -- they would look to the rest of the State rather than accepting their own responsibility, and I do think that's exactly what it is. When you pass a referendum to tax yourself, you're accepting responsibility for your own children. Let me inject another bit of -- of -- of fact into this whole discussion. I hope all of us realize that what we're doing is committing ourselves to 1.2 billion dollars over the next three years. And as Senator Berman rightly pointed out, those raises in the taxes -- in the taxes that are listed here do not cover that -- that -- the amount of money that we are -- the billion one -- or, excuse me, billion two. So what we're doing, in the -- in the very words of this Act, we're saying this constitutes an irrevocable and

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

continuing appropriation from the Common School Fund for all the amounts necessary for that purpose. So we have really committed the taxpayers -- or, will commit the taxpayers of this State to -- to funding the major portion of that one billion two hundred million dollars. So I think there are some good parts to this -- this bill. The reforms are a nice, tentative step. They're a little lukewarm. Nobody really gets -- gets put on the spot, not to the extent I would like to see us take control of some of the bad situations. But you know something? Here's -- here's what we've done: We -- there is an absolute active arrogance in this -- in this whole piece of legislation, and that is we have dictated that the administrator contracts -- contracts, excuse me, cannot be more than one year unless they have some performance-based -- -based standards. And lookit: Why do we need school boards? They can't even hire their own people anymore under conditions that they seem favorable. This is ludicrous. Who do we think we are in all of this? Ladies and Gentlemen, I think that we're going to spend a billion -- a billion two without any requirements for anybody to meet, other than in the hiring of administrators. We have no standards in this to meet. We can -- the districts can take all this money, spend it as they see fit, wherever they want. Frankly, I can't vote for this because I can't go back to my district and say to those folks, "Ladies and gentlemen, over the years you've really been doing your part. You have assumed your responsibility. But there's no relief in this for you. If you want to maintain the level of education you have now, you're going to have to pay more and more and more." While other districts who shirk their responsibility, they can -- they get some help from the State. I think what we have to do here is -- is look at some of this and say the reforms are tentative, they're okay, there's some arrogance in all of this, and perhaps it's better than none. I'm going to be a No in deference for all

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

of the people of this State who have consistently paid and paid and paid. They've raised their own property taxes. They haven't come to the -- they haven't said no to bond issues, they haven't said no to tax increases, and then they're -- they won't come back to the State because there's so little in here for them. I think, frankly, there's -- tens of thousands of -- of people in this State have been used, literally used. And maybe we ought to use the word "abused", because they've paid high property taxes and now, when a so-called school -- so-called funding reform comes about, they get nothing. Absolutely nothing. I -- one of the previous speakers talked about Chicago. Chicago is going to get two hundred dollars a pupil more than they got before. You know what my district gets? Six dollars and fifty-two cents. Big deal. Big deal. And for that, they have to increase their own property taxes. I think we ought to reward the people who have consistently assumed their responsibility for their own children. And the people who are going to be rewarded the most, aside from a -- from those who are genuinely needy, but there's too many in here who have said -- who have shirked their own responsibility and now look -- now look to the rest of the taxpayers to assume a burden that they should have assumed years and years ago. I think - and this is a forlorn hope - I think we ought to go back to the drawing board. I think there's enough votes, but I wonder how many of us, after some of these numbers become clear, are going to be not too proud of ourselves.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I guess, like so many here, there are some problems with the unreliability of the tax sources. Personally, I think that it is wrong to be imposing a message tax when there appears to be

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

more than sufficient funds in the bank at the end of the fiscal year to do without it. If our numbers are correct, even after the hundred and twenty million comes in that the Governor has committed, we would still be well over six hundred million dollars in balance in the bank, a number that is higher than any financial authority has ever told us we would have to need. And, yes, it does hit fixed-income seniors. Now, I've been told maybe it's only thirty cents a month, forty cents a month, fifty cents a month. But I believe that that is wrong. And were this to pass, I - and I assume a bunch of others - will introduce legislation to eliminate that and have that as a separate and distinct vote. Personally, I think that the idea of the tobacco tax we know is an unreliable source. We know that the last time we passed a fourteen-cent increase we've actually had a decline since then of total monies in. But there may be a social reason for passing a -- a tobacco tax, and I see no problem with that whatsoever. As to taxing those who pay their taxes late and charging them a little more, that's a great idea. Why should we be subsidizing people who tax people late? It's also undependable, because that'll encourage more people to pay on time and, therefore, we won't get as much income, I believe, as the projections have said. As to the graduated riverboat tax, I totally think we should be doing that. In fact, like Senator Berman, for about five years now I've put in legislation calling for that, because for a boat that was originally supposed to be a little paddleboat going down the Mississippi to encourage a little bit of tourism and maybe have a few people playing poker, smoking those little, thin cigars like Maverick used to, and instead we have a boat that makes two hundred and thirty-five million dollars a year. That's not a boat; that's an industry. And God bless them, they're doing well. Why should we not -- and I have legislation in the Rules Committee now, also, that says: Why should we not be using that to take care

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

of our children? We have schools throughout this State -- the average school in my district was built in 1924. You can't plug in a computer. I was at the Howe School about three weeks ago. They have one room for thirty kids out of six hundred students where you can plug in a computer. The only schools that have computers are where we were able to build new additions, and -- and luckily we are experiencing overcrowding 'cause people love our neighborhoods. When we don't give the kids the tools to succeed in the 21st century, the ability to use and learn how to use a computer, get into fiber optics, and get on to the Internet, we have failed them. When we do not give that bare foundation level so that kids have a chance, we, as society, have failed them. And when they turn to crime, as many of them end up forced to do because we have not bothered to say education really is first, shame on us not only for the cost to the State, but for the lack of social responsibility. That capital construction is so essential, that retrofitting of our schools is so essential that if we mean it, then children must come first. And the other thing is, this is a historic day. For those of us in this Chamber who have always said education does come first, if any of you are out in your districts like I am - and I think all of you are - what's the first question asked: What happened to the Lottery money? Second question: What happened to the riverboat money? And Governors will say, "Well, now, I put it into the education funding", but then they don't put in enough general revenue to make up the difference. It is a shell game. This says "education first". Education will be the first draw on State funds. Four thousand two hundred and twenty-five dollars a student, plus the poverty grant, comes out of the Treasury, and I don't believe these revenues will replace the money they think, but that's the Governor's problem. He will not have or she will not have or whoever the next Governor is will not have enough money to operate

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

State government maybe, and they may have to cut some of the bureaucracy. So be it. It'll be the first time in history that the children will not take the hit, but government will. That is historic. And because this is education first, we should be strongly supporting it, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Walsh. Tommy Walsh.

SENATOR T. WALSH:

Thank you, Madam President. I stand, also, in support of this bill. This bill is a compromise, and I don't think that there is anybody that is completely happy with this bill, but I think that there's a little something in this bill that we can all take home and be proud of. And there's one thing that we should collectively be proud of and that's the fact that we are establishing a foundation level. We are saying that every student in the State of Illinois is going to get that amount of money that is necessary to provide an adequate education and that foundation level is going to rise from year to year. And that isn't going to help the kids in my district because most of them are above that foundation level, but we're going to help those kids that need it the most that are living in areas that aren't property tax rich, like we are fortunate enough to be in most of my district. So we should all be proud of the fact that the foundation level is in there. The things that I'm going to go home and talk about that I'm proud of is, first of all, the reforms. I think that there's meaningful reform in this bill. Secondly, the capital program, which has been talked about quite a bit. This is going to help every school district in -- every school district in my district and those school districts that have -- need roofs, need new windows. I have a situation where there's overcrowding. This is going to help them to be able to build new schools. I think this is something that every one of us should be proud of. The schools

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

in my district that need the money the most are going to get additional money under this bill also. So I'm proud of that, and I can't wait to get home to tell that story. And I also think that this bill fulfills our commitment and our obligation to fund education in Illinois. This bill, an Aye vote, passage of this bill, does that. With this issue hopefully behind us now, I think it's important that we address other commitments in the State, and I'm going to specifically talk about the -- the three-percent COLA raise for direct care workers for persons with developmental disabilities. We have a commitment there also, and I would hope with education behind us, which this bill should do, that we'll start to address the other important commitments that we have; that we'll take a look at helping those people who haven't received a raise in two and a half years, those people that aren't paid a whole lot, that do that job out of love; that we'll take care of those people also; that we'll show that the fact that we have made a commitment to move people to the community, that we're going to back that up with funds. So I would suggest an Aye vote on this bill, and then I would say let's get on with the other important business that we have to do in this State. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. I will attempt to -- not to be redundant and cover the same ground that previous speakers have indicated. When we -- began this year, this year was supposed to be the year of education. This was the year that we were finally going to come to grips and have the fortitude and the guts and the courage to do what was right to fund and reform the way in which we finance education in Illinois. And I applaud the Governor for his proposal and the House for sending it over here, and that is the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

proposal that ought to be before us today. Over the course of the last several weeks, I was told that we were holding out for property tax relief for the people in our district, as we had promised them when we began this so-called "year of education". But this bill is a hundred and ninety-four pages and I've yet to see one sentence about property tax relief. To the people of Illinois and back to the agricultural community and to all those, we have to go back now and tell them that there is not going to be any property tax relief for you and most likely you will not get property tax relief from this General Assembly in the -- in the future. And so there is no property tax relief. The year of education has come down to some numbers on a sheet, numbers on a sheet of paper. Reminds me of the computer printout that I received in May when this General Assembly passed the school program, and it turned out that we had to prorate a number of different areas, that we didn't get it right. As a matter of fact, the substantive part of the program was so bad that all of the adequacy grants, or at least twenty-three percent of them, went downstate and the rest of 'em went to the more affluent districts in the State of Illinois and not ours. If I may, Madam President, I would like to have some order. I mean, there's so many caucuses going on around here. Think I'm entitled to have my day, too, here.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Demuzio requests that Senators be in their seats and you take your conferences off the Floor.

SENATOR DEMUZIO:

I want to applaud the -- couple of the newspapers in Illinois, particularly the State Journal, who a couple of days ago said that long-term funding is needed for our schools and no longer should we have some type of temporary fixes, that we need a sound, long-range approach, and again reiterated their support for the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Governor's program. And before I leave the numbers on this sheet of paper, I am caught by the Journal Star editorial of this morning, which says that even the State Board of Education said Thursday afternoon it couldn't vouch for the numbers, and that is enough reason to reject this proposal that is before us. Isn't it a shame that we in Illinois, we who talk about family values and we who talk so piously about doing something for the children of Illinois, that we have to look to Lottery, that we have to look to riverboat gaming taxes, that we have to look at cigarette taxes, that we have to look at a forty-percent increase in telephone rates for senior citizens? Those are the kinds of things that ought to be used to fund other elements and portions of State government, not education in this State. That's a shame. You know, any professor of economics in any of their lectures will tell you that one of the canons of taxation which sets forth the characteristics of a good tax is one that is felt equally by all. These taxes that we are talking about in this bill are not felt equally by all. As a matter of fact, these revenues probably are very optimistic, because most of them will be decreasing. I know that we have the projection of about seven hundred and twenty-eight million or thereabouts as our -- as our surplus for the end of this year. We couldn't use any of that surplus for this program. We had to pass these taxes, and I guess that's because the Governor wants to assure himself that he has at least a six hundred million dollar balance when he leaves office. As a matter of fact, I was a little surprised this morning when I read this article in the Journal-Register and the Governor was quoted by saying: More importantly, this will probably be the last opportunity we have to deal with what I think last spring felt -- everyone thought was a major issue and who campaigned on the year -- on last year's elections. The "last opportunity". I don't know. Is he resigning early? Seems to me that January is

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

starting all over again here and that we're going to have a budget before us. And I noticed also that he said I don't -- I do think it'll be shame, a tragedy, if we lose this opportunity to do something very significant for the poor school districts of this State. The proposal that should be before us today is the proposal that he put forth, that was passed in the House and is over here. And, oh yes, for heaven sakes, we didn't get property tax relief in this bill; we got a deal that says that we will have some irrevocable and continuing appropriation from the Common School Fund for the necessary purposes of making sure that the foundation levels that are written in the law in this bill will be met last year -- next year. Well, I think a lot of us knew a lot of people who were very wealthy about three weeks ago on a Tuesday when the stock market crashed in the morning that weren't as -- weren't as wealthy in the evening. So, growth revenues are such a fleeting thing in this State. And by the way, what happens if the Comptroller, who were attempting to abolish, doesn't transfer the requisite amount of money that is necessary for the foundation level? We'll have a new Governor, we'll have a new House, we'll have a new Senate, probably have new Leaders, probably have a new State Board. And so, we who giveth can taketh away. That irrevocable continuing appropriation is subjected to the Legislature and to a majority vote of both the House and the Senate with the approval of the Governor. And so if it ain't there, we don't fund it. So -- Ladies and Gentlemen, I'm struck also by the comment that was made by one of my colleagues on the other side of the aisle about a three-percent COLA, that we have to take care of those folks as well. Well why don't you put a bill in for a continuing appropriation to make sure that they get the three-percent COLA on a yearly basis? We're going to begin legislating all of the years -- next year's income away to all of these various interest groups. Ladies and Gentlemen, this is, to

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

me, a sorry day in this State. I had looked forward, in my closing remarks, to voting for the Governor's bill that passed the House, that reposes here in this Body, and I had hoped that we would have stalled long enough to make sure that that bill were to be called and that honest-to-goodness, significant property tax relief would be the order of the day and the schoolchildren of Illinois would sincerely - sincerely - once and for all be served by something that's educational -- that's academic, that we had the courage to do as we are elected to do, but we are not. We're back to the temporary approach. We're back to seeing to it that -- that nothing will happen that's significant. It's business as usual in Springfield. And let me tell you, Ladies and Gentlemen, I think it's a sad statistic that once this is over and if it passes and the Governor signs it, that we will jump from forty-sixth in the nation for school revenues to forty-fifth. I urge a No vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Bomke.

SENATOR BOMKE:

Thank you, Madam President, Ladies and Gentlemen of the Senate. You know, I've said for a number of months that the bill that we finally pass to the Governor that is -- and is signed into law, and I believe this will be the bill, will be one that no one likes. And as my colleague on the other side of the aisle pointed out a few moments ago, you'd be hard-pressed to find anyone in the Senate or in the House that really likes this bill. And the reason of that is, is because of the diversity of Illinois, we can't all get what we want. My collar -- collar -- colleagues -- county colleagues and my suburban colleagues aren't getting much out of this bill. The downstate Members, myself included, would very much like property tax relief. We're going to continue to work for that objective, but it's not in this bill. The point is -- and I think the Governor should be applauded for his efforts.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

When the plans failed in the spring, he did not give up. He continued his objective to meet his goal. He continued to meet with the Leaders and they have consummated a plan that is not a great plan, but it's the only plan we have before us. And it meets that objective of providing the forty-two-hundred-and-twenty-five-dollar foundation level, guaranteeing a quality education to all children to the -- in the State of Illinois. And I would urge my colleagues to vote Aye.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President and Members of the Senate. I -- I -- I want to make a couple of statements; however, one of my colleagues just talked about improving the quality of education for the children in the State of Illinois. I'd like to ask the -- ask the sponsor a question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield. Sorry, Senator Clayborne.

SENATOR CLAYBORNE:

Senator Watson, I'm -- I'm scheduled this -- this coming Thursday, next Thursday, to speak to a group of children in my district at one of the elementary schools. There will be an increase in their foundation level. How do I answer the question, to them and to their parents, how we've improved the quality of education?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, obviously, during this calendar year, that school district is under the -- the adequacy level and will -- will receive additional dollars. The local board of that district is going to have the opportunity to spend those dollars as they wish.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

One of the real good things about this is the provision that allows for a considerable number of dollars to flow during this calendar year. And in many cases, contracts have been signed. There's no way the money can be negotiated away. It'll go to textbooks. It'll go to technology. It'll go for computers. It'll go for needs - maintenance needs, maybe, in your district, in your schools. That's the -- that's the good thing about this, is this particular year, there'll be a considerable amount of benefit from that dollars that will flow to those districts now.

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second. Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. Where in the legislation does it say it will go to textbooks?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

It doesn't say in the -- we're not telling the local school boards how they spend their money. That's up to the local school board to make that determination. We're not dictating how that money will be spent.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Clayborne, all you have to do is...

SENATOR CLAYBORNE:

Well, that...

PRESIDING OFFICER: (SENATOR DONAHUE)

...put your light on. Just put your light on.

SENATOR CLAYBORNE:

Well, that's not necessarily true, Senator Watson. You're giving the State Board the authority to overrule a local school board where it -- where it -- when it relates to chartered schools, am I correct?

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

That's a whole separate issue, Senator. If a -- if a local school board denies a charter, those individuals who would like to move the charter forward can appeal to the State Board of Education for consideration. That's the changes in regard to the charter legislation, but it doesn't have anything to do with the funding.

PRESIDING OFFICER: (SENATOR DONAHUE)

Put your light on, Senator Clayborne. That's all you have to do. Senator Clayborne.

SENATOR CLAYBORNE:

Yes. How do I tell the children, Senator Watson, how do I tell their parents that this money will go to textbooks, will go to technology, will go to reduction in school size -- in class sizes? Where in this bill can I tell these children, can I tell these parents that this money will go to their -- their child in the classroom? Where can I tell them -- where can I point out in this bill, Senator Watson, and assure them that this money will go to those areas?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Well, I guess it's a -- a decision is made by those elected officials at the local level, a school board, that we call it. I mean, I -- I think putting the decision in the hands of the school board on how they allocate those funds is the most appropriate way to do it. I mean, maybe they don't need schoolbooks, maybe they don't need computers, maybe they need something else. Let that decision to be made locally and then the input obviously coming from the parents and others in the area who are interested.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Clayborne.

SENATOR CLAYBORNE:

That's what I thought. If you look at my -- my lapel, I put a Band-Aid on my lapel. This is a Band-Aid approach to trying to solve the -- the -- what the real issue is: equity and fairness in funding and how we provide funding for our children's -- our children's education. You know, earlier this morning we passed a bill that dealt with accepting gifts. Now, why did we pass that bill? And the reason why is our constituents, whether it's us or other Members next to us in this Body, don't trust us. And why don't they trust us? They don't trust us because in this bill we're raising taxes when we have natural growth that can achieve and accomplish this increase. Why don't they trust us? Because we've placed it on sin taxes. In a day in which we're -- we have all these campaigns to reduce the amount of smoking by minors and adults, we are placing our children's future on a cigarette tax. Well, why don't they trust us? Because we in this Body do not have the courage to do what's right. Senator Watson has stated that there's no guarantee that this money will reach the children. There's nothing in this bill that holds us accountable, holds the district accountable, to make sure that this money reaches the children. He can't give me a percentage of the increase that will go directly to the children because he doesn't know. I -- I recall -- and I was the -- I was the sponsor of the Governor's bill this -- this past spring, and questions from the other side of the aisle in the committee said: How will you improve the quality of education? And I say to those Members who were in that committee, and you know who you are, you -- this bill does not address that issue either. I also will talk about the fact that we are misleading our constituents. We are telling them that we're going to increase education, we're going to improve

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

education. We're telling them that these taxes, we really don't need them. Well, if we really don't need them, why are they in there? We don't raise taxes to fund prisons. Why? Because we feel that that's more important than making sure that our children receive a quality of education. It's more important to be able to fund prisons at twenty-five thousand dollars per person with no -- no tax increase, 'cause what we do, we use natural growth. We're able to find natural growth for prisons, but we're unable to find natural growth to make sure that our children receive the quality education that they deserve. I tell you that there is a five-letter word called "trust" and we -- we don't understand why our constituents don't trust us. But I guarantee you, everybody that votes for this, I'm telling you, why they don't trust you: Because there's natural growth. And if you don't do it, if you don't put it out there, if you don't shift how we fund education, then you can continue to understand why you just had to pass a -- a bill disallowing gifts: Because there is no trust. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Luechtefeld.

SENATOR LUECHTEFELD:

Madam -- Madam President, Members of the Senate, I've only been in this Body a few years and usually, as you listen to the rhetoric, you -- you hear those people who are for something who exaggerate one way or another and those against exaggerate. Someplace, usually, there's a -- there's some truth in the middle. This particular bill obviously is not something that we all really like. There are things about it, for instance, with regard to property tax relief and maybe some of the reforms that we're really not real fond of. I, too, would like to have property tax relief, but I say to the rest of the Senators in this, if -- if that's so important to us, then let's do it. Let's have a dollar-for-dollar property tax relief. We really don't need to

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

tie schools in with it, if it's that important. Again, you know, this bill, I think, does two things that most of us seem to agree on. It brings the bottom up. And -- and I say to the people who are the "haves" in this -- in this State, that is, you know, who possibly may not share a lot from this. That certainly is a noble thing to do, I think, sometimes very hard to explain to your constituents. But it does bring the bottom up and we seem to all agree on that. The second thing it does is I think it gives some money for schools to build some schools throughout the State. And I've really not talked to too many people in this Body who disagree with those two things. And this bill certainly does those two things. Obviously, there are things about it that some people don't like, but I still think, in all, it's the best bill that we're going to get and certainly would encourage people to vote for it. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCH:

Madam President, I move the previous question.

PRESIDING OFFICER: (SENATOR DONAHUE)

We have five -- four additional speakers. Further discussion?
Senator Sieben.

SENATOR SIEBEN:

Thank you, Madam President. I rise in strong support of this legislation. In my view, the pluses in this bill strongly outweigh the minuses. And like many of you, I probably -- I received numerous calls this morning from administrators concerned about the administrator contracts, and I received numerous calls from teacher friends -- as you know, my wife's a teacher -- concerned about this certification process. But one of my superintendents took the time just to write a handwritten note and fax it to me. I thought I'd share that with the Body. And she

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

says: As an administrator, I don't care what provisions in the bill affect me. Put anything in that you want. And teachers will get over whatever provisions apply to them. But please, please, provide more money for children however it has to be done. Trust us, the needs are great. Vote for kids. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Body. This is my nineteenth year here and -- and this is an issue that we've dealt with every single year that we've been here. And I said last week, when we debated the deregulation bill, that many of you have said, "This is not a perfect bill." And it indeed was not a perfect bill and this bill is indeed not a perfect bill. Senator Berman and I, it's already been alluded to, worked very hard on the Task Force on School Finance a number of years ago, and it was from that task force that we first arrived at the issue of what were we really trying to fund. Answer: an adequate education. What is that adequacy level? Nobody knew, and we worked hard to try to put together a methodology to determine what an accurate adequacy level would be, and we did that. And we presented to the Body, House and Senate, a plan, and it was rejected. And that's okay. The Governor then, in his wisdom, put together the Ikenberry Commission, and that built dramatically on the work that we had done and put together a very sophisticated adequacy level. That bill was presented to the General Assembly. It was a well-oiled machine that addressed the concerns of every school district in this State, bar none, bar none. For whatever reason last spring, we began to pull the wheels off of that well-oiled machine. And just as we in business buy machinery and trucks and combines that are sophisticated to do the job, the Ikenberry Commission did that. And if you pull those wheels off,

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

it begins to fall apart. And that was the plan that arrived in the Senate last spring and why we rejected it: Because it was a terribly imperfect plan. So a number, during the summer and early fall, once again in their wisdom, came back to the table and tried to put together a mechanism that would pass both the House and the Senate and, most importantly, addressed the needs of all boys and girls across this State. Something nobody denies, the need is there. That's the plan that's before us here today. Is it the plan that I would design if I was the supreme ruler of this Body? Of course not. But once again, we, as microcosms of the State of Illinois, the eleven and a half million people here, are faced with a decision today to fund, into the future, the education of our boys and girls. This is what the debate is about today. I stand today in support of a piece of legislation that I think comes as close to addressing the needs of all the boys and girls, and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jones.

SENATOR JONES:

Thank you, Madam President. Listening to the debate on both sides of the aisle, as it relate to this particular piece of legislation and the issues that we dealt with past spring and the issue we are about ready to deal with today, a tax by any other name is still a tax. You can call it a message tax. You can call it a tax on deadbeat. You can call it any kind of tax you want to call it. It's still a tax. You know that I strongly supported, the income tax, as -- as opposed to these particular taxes that are contained in this bill. This bill does not do what I want it to do. It does not reform the way we finance education in Illinois. It does not shift the burden from the property tax to the income tax. I've been in this Body a long time. There are things in here I like, many things I dislike. There has never

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

been a perfect piece of legislation to pass the General Assembly. It hasn't been in the past, it's not going to happen today, and it will not be there tomorrow. In meeting with the Governor and -- and the other Leaders, a couple of weeks ago, I discussed all those issues. I even asked that, prior to this bill being considered, the previous bill be placed before this Body and let the Members decide as to what they think is best for the children of the State of Illinois. That was rejected. Many other proposals that had been put forth in previous -- in this legislation, such as taxing drugs, those regressive taxes, we finally got them to take that out. But I know at one point in time we must come together and do what we feel is right to do, and that is try to take care of the children across the State of Illinois. Granted, this is not a perfect piece of legislation. Granted, there are no property taxes -- relief in this bill. Granted, you do have some regressive taxes in here. But in the spirit of compromise, I feel we must do something. We must try to address the schools that are underfunded, particularly those schools downstate. So when we sat down there and we talked about this four- or five-year plan and the Governor indicated he would put in an additional hundred and twenty million dollars over the next five -- four years to the year 2001, and I told my other colleagues, my Leaders and the Governor that there is no guarantee that those dollars will be there, and I requested at that time that we have a continuing appropriation that would guarantee that this plan would be funded to the year 2001. It was rejected. And voicing the views of the Members on my side of the aisle, I continued to oppose this piece of legislation. We sponsored legislation calling for "fund education first". No one would vote for that. But contained in this bill is a continuing appropriation that would ensure that before any other measures are taken care of in State government, education - the three billion

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

dollars that we put through the School Aid Formula, as well as bringing up the foundation level - those dollars will be there. And I defy any legislator, next year, the year after, the year after that, to try and change it. It is an entitlement for children of the State of Illinois. It will not be dependent upon these regressive taxes that's contained in here. If we had no tax increase at all, the continuing appropriation would guarantee that education get funded first, and that's the most important thing that's contained in this piece of legislation. It's an entitlement for children. I don't think any other state in the nation has that. Education gets funded first. As it relate to some of the other issues that's been addressed by Members on my side of the aisle, and I concur with them, because we promised the people of the State of Illinois that this would be the year of education. And I tried everything possible, aside -- aside from hitting him in the head with a bat, to get him to call that bill and put it to the Senate Floor, 'cause I still feel that was the best bill. But we must move on. It's not a perfect bill, but the best thing in this bill is that this plan will be guaranteed its funding. It's never happened before. And you hear U.S. Senators and Congressmen talking about messing with Social Security, but they refuse to touch it because they consider it the third rail of politics. And once this gets in the bill, I can see legislators on both sides of the aisle putting in legislation to extend it to ensure that education will be funded first for our children in the State of Illinois. This does not solve the basic problem of equity. I believe every child, regardless of where that child is born, should have equal opportunity to the public dollars for education. And the only way we're ever going to resolve that problem is that we must shift from the property tax to a State tax, preferably the more fairer taxes, which is the income tax. This doesn't solve that problem. It'll take care of those schools

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

that are at the bottom, but we still have to work to try to find a way to reform the way we finance education in Illinois. There are those who say we must continue to wait. I waited and I waited until Senator Pate Philip finally buckled. And he agreed, which he adamantly opposed, he agreed to the continuing funding mechanism. And perhaps down the line, next Session, we can work toward reforming the way we finance education, to get property tax relief from our -- for our senior citizens on fixed income and so that every child can compete equitably for the dollars. So again, it's not the best bill, it's not a perfect bill, but it is a compromise. And I think it's a compromise worthy of the support of Members on this side of the aisle, as well as Members on the other side of the aisle.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I suppose I've been here as long as anybody. We have been debating schools and school reform and funding for over thirty years. I don't know how many commissions we have had, more than I can remember, and with distinction, Senator Berman has been part of that. And very honestly, we haven't even come close to solving the school problems. This is truly the first time in my tenure down here that we have taken a gigantic step in the right direction. Is it perfect? No. Will we probably have to come back and adjust it? Yes. But truly, for the first time, we are doing something for the one million seven hundred and seventy-three thousand schoolkids of Illinois. Bottoms up, within two years, every kid -- the amount of money for every child will be four thousand two hundred and twenty-five. The Ikenberry recommendation -- Commission recommended that to us. It's reasonable. It helps a lot more downstate districts than it does

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

in the suburban area. We have a steady revenue stream to issue bonds to build new schools, to repair schools. You're going to say no to that? That's the biggest complaint that I hear from downstate districts. They have to pass a referendum. I think they will. We pass over forty-five percent of the referendums today in Illinois. You give them that incentive, they're going to do it. We have a revolving fund for computers, lab equipment that schools can apply to. My schools, I think, will be able to do it pretty quickly because some of them do have a cash surplus, believe it or not. How do you say no to that? We have great school reforms in this, not as tough as I would like myself, but it does give the school boards and the administrators the tools to improve teachers, to improve work in the classrooms. You're going to go back to your district and say no to that? You know, it'll take us maybe two or three years to figure out if these things really work, because right now it's very hard to say, yeah, I guarantee it's going to happen. But it certainly is a step in the right direction. My experts think there's a very good chance this will have a tremendous effect in the classroom. And for the first time we've locked it in to the year 2001, and we should lock it in. The guarantee is there. This phony-baloney argument on -- on real estate reduction. Huh. I'm thinking back when we did the tax caps in - what? - 1992. And if I remember correctly, almost every Republican voted for it. There were very few green lights on the other side of the aisle. Where were you then? And let me say this: Tax caps work. The collar counties have 'em. Sixteen downstate counties have 'em. And I'm going to tell you one thing, my tax bills have been out for six or eight weeks. I have yet to have my first telephone call or letter or complaint about property taxes. I couldn't say that before 1992, because my taxes, and my own real estate taxes, went up anywhere from ten to twelve percent, as high as thirty percent. You know what it went up this

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

time? 4.2. The citizens in my district can take a 4.2-percent increase yearly. And they have. And they have not complained about it. So if you're worried about property tax, your local county boards have the authority to put caps on. My suggestion to you people who want to vote against this because there's no real estate property tax, put tax caps on. They do work. Now you captives of -- of -- of -- of the CTU and IEA, for one time - one time - think of the one million seven hundred and seventy-three thousand kids and not the union money and the union endorsement and the union support. Do it for the kids. Ruin your record. You ought to be ashamed of yourself. This is the best deal going. You ought to vote for it. The Governor's on board. The Speaker's on board. The Minority Leader's on board. The State Board of Education's on board. The Sun-Times and Tribune are on board. Stand up to the plate and let's hit a home run.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson, to close.

SENATOR WATSON:

Well, thank you very much, Madam President. Hard to follow that and the previous speaker, but I -- I do want to make a few comments, and, first of all, I want to thank some people. The Governor, who could have taken his ball and bat and gone home and he and Brenda, in a year and a half, could have walked off to wherever they're going to walk to and said he gave it his best effort and we didn't -- we didn't step up to the plate, he still negotiated and continued to talk about the needs of funding for kids, and I thank him for that. I want to thank, obviously, my Leader. Many of us on this side of the aisle had some things we liked about the Governor's program in the spring and we would have maybe liked to have heard the bill debated on the Floor and given the opportunity to vote Yes or No, but that bill stayed in the Revenue Committee. But we went to Pate and we said, "Pate,

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

something's got to be done for the funding of schools in this State." And Pate agreed and continued to negotiate to the point today, I think, as many of you said, we have -- we have got a bill before us that is going to make a major, major impact on our ability to educate young people at our -- in our schools. I want to thank Emil Jones for staying at the table. During all this process, Emil was one who did not support -- in fact, I didn't know for sure what you were going to do until you finally said it on the Floor here a moment ago in regard to this legislation, but he, too, could have walked away, but he kept his caucus involved and I thank him for that. I want to thank Art Berman, who is an hyphenated cosponsor of this bill, and who's always, at least in my eyes, been concerned about kids. And he went to his caucus and his Members and talked to them about the benefits of this for the young people in their area. I want to thank Dave Luechtefeld, the only teacher, really -- current teacher or recent teacher in our caucus, who gave us a different perspective as to what it means to be in a classroom. And I don't think -- without that or his involvement in the last few days, this bill does not get to the Floor, and we don't have the opportunity, once again, to vote on a significant change. My district benefits extremely well, obviously, in this, because I come from one of those areas in which three of the bottom five districts on a per-pupil expenditure are in my district. Aviston, Saint Rose and Damiansville are in my district and they do a good job of educating kids for just a little over three thousand dollars a student. Trust was mentioned on the Floor by Senator Clayborne. If I don't trust local school boards who are elected by local people, then who can we trust? And that's who we're giving the opportunity to, to do something about what they want to do at their local level. Let the school boards decide. Let that be a local decision. We shouldn't be up here dictating how money's

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

spent at the local level. The more we can send to them and give them the discretionary and the flexibility to do what has to be done at the local level, the better off those school districts are. Some mentioned about calls they've gotten this morning from the administrators and superintendents and -- concerned about some language in there and some have mentioned the unions' lack of support for this. You know -- and there -- here's this huge carrot out there, you know, and -- and -- everybody's -- they're grasping but, you know -- you know, it affects me. It's me I'm worried about. And that's what I told one of the superintendents from my district. I said: What's this all about? Why are you -- what's this issue dealing with the contracts for superintendents? Why should that be a concern. You do the job, do the job at the local level and you're not going to have a problem. But what about the kids, for God's sake? And the guy never said another word. He listened -- he heard me out and he said: "You know what? You're right. Forget about it. Move on. Do what's right and best for kids." And you're talking about education first, and that's something I want to, again, thank those on the other side of the aisle who've been involved in this, is the continuing appropriation. Now, as we had several years ago the much ballyhooed "education first" program, that's actually what this is. That's actually what we're talking about here, is putting kids first. Education first. Before anybody else gets a dime, before we talk about the Department of Community and Commerce, before we talk about Corrections, before we talk about Public Aid or any agency of State government, right off the top kids are taken care of. Kids are taken care of. And at what level? I don't know if you're -- you're aware of this, but right now the current foundation level of funding is about three thousand one hundred and eight dollars per student. Then we've pumped in some additional dollars to currently raising that to around thirty-six

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

hundred dollars, and that's the adequacy grants and the hold harmless and other provisions that we've made available to local schools, outside the formula, that has got the level up to thirty-six hundred dollars. Right now, we vote on this today, that level goes to forty-one hundred. Forty-one hundred bucks. And those of you downstate who -- who got up and talked against this -- Senator Demuzio, in your district, in this current year, in your district you get six million one hundred sixty-three thousand dollars. Next year you get twelve million dollars. Senator Severns, you get four million nine hundred thousand dollars in this current year. Next year you get nine million seven hundred and twenty-eight thousand dollars. Senator Clayborne, you get three million eight hundred thousand dollars in this current year, and next year you get fourteen million five hundred thousand dollars, additional funding for those kids you purport to be so concerned about. Senator Halvorson, you get one million sixty-nine thousand dollars in this current year. Next year you get six million five hundred and thirty thousand dollars. There are some of you over there that do a little better, but you didn't get up and talk so I'm not going to mention you. You still may vote Yes for this. There's hope for you. There's hope for some of you over there. ...we all get letters, and I get -- I -- I get letters from kids all the time and I like that. I go to schools, I talk to classes and I think that's important. I think we ought to all do that. We ought to encourage kids to get involved in government, know what -- a little bit of what's going on and let 'em see their State Senator. So I do that. And so I -- I kind of ask for this kind of thing. I've got kids writing me and communicating back and forth, and I get letters saying, you know, "Frank" -- or "Senator Watson, We thank you for making available to us money that we can buy our computers with. Would you come over to our computer lab and see our new computer lab?"

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Or we get letters saying, "Thank you for the textbooks." And we get letters, "Thank you for the ag equipment that we're able to buy," with additional money that we've made available over the years. Thanking me for -- for what I've done. But I want to tell you, there's going to be people over here that are going to vote green that don't get a whole lot out of this, that don't get much at all. And those of you downstate, I want -- here's what I want you to do with those letters: I want you to send those letters up to DuPage County, up to Cook County, to Will County, to Kane County, to McHenry County, to Lake County and tell those kids, "Thank you. That's the Senator that you need to thank." Those of you that want to vote No on this, these people here have the empathy and the concern and the courage to give every single kid in this State, every child in this State, an opportunity - an opportunity - for an adequate education. And I thank them for that, and I hope that everybody over here will vote Yes, as long as -- as well as many of my friends on the other side. So, thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 654 pass. 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, there are 43 Ayes, 16 Nays, and none voting Present. House Bill 654, having received the required constitutional majority, is declared passed. Senator Cronin, on House Bill 999? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 999.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SENATOR CRONIN:

Thank you very much, Madam President and Ladies and Gentlemen of the Senate. Thank you very much, Madam President, Ladies and Gentlemen of the Senate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Just a second, Senator Cronin. Let's get some attention. Our guests in the galleries, will you please exit quietly? Will the Members on the Floor please be in your seats, and will you please take your conferences off the Floor? I know it was a big moment just recently, but we have further business to take care of. Please keep your comments quiet. Senator Shaw. Senator Berman. I'm going to start naming names. Please. All right? We still have a bill under way. Senator Cronin.

SENATOR CRONIN:

Thank you very much, Madam President, Ladies and Gentlemen of the Senate. We just made a huge commitment to public education. I feel very good about it, as do forty-two other of my colleagues. We have just addressed school funding and we've made a commitment like never before. The significance of the legislation that just passed is huge. The continuing appropriation is very, very big. We responded; we made the commitment. No public school is underfunded. No child will be without a sufficient, fair, and reasonable funding level. We met the challenge. We fulfilled our obligation to the poorer schoolchildren. Now -- now, I'm asking you -- I'm asking you to provide a little relief to those people that are paying the taxes, to those people that are struggling to make ends meet, to those who help build the fiber of our communities, those who choose an alternative to the public schools, an alternative that, by and large, performs very well, an alternative that turns out a good product, an alternative that we, as policy makers and leaders, need. We need the nonpublic schools very, very much, to educate the three hundred and ten thousand

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Illinois children that enroll. In this year of education, education for all schoolchildren, I ask you to look favorably upon House Bill 999. House Bill 999 amends the Illinois Income Tax Act to create a credit for education expenses beginning in the year 1998, the 1998 tax year, which could be first taken -- this credit could be taken on the 1999 return. The credit is equal to twenty-five percent of the education expense of qualified pupils, up to a maximum of five hundred dollars per family. Education expenses are defined as those in excess of two hundred and fifty dollars incurred for tuition, book fees, and lab fees. There's been a considerable amount of discussion and debate about the cost of this bill, and while I concede that I am not a math wizard, I don't think it takes a math wizard to figure out how much this bill is going to cost. There are three hundred and ten thousand children that attend nonpublic schools. The tax credit provides a maximum of five hundred dollars per family. If you were to assume that each of those three hundred and ten thousand children are in a one-child family, then the maximum cost of this program would be a hundred and fifty million dollars. But I think that's an unreasonable assumption because you know that these families that attend these nonpublic schools are larger than one-child families. There are three and four and five kids. If you took the Census Bureau information alone, the 2.4 children, the cost of this bill, the cost of this measure is no more than fifty million dollars, and the Department of Revenue would not dispute that. Ladies and Gentlemen in the Senate, please, I ask for your attention. I ask you to consider the fact in this year of education, in this year of putting kids first, I ask you to consider the fact that we have routinely engaged in the practice of tax credits. Since 1996, just a -- just a short time ago, we have provided over 1.2 billion dollars worth of tax credits, tax credits for farm chemical -- tax -- tax credits for farm chemical purchases, corporate income

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

taxes, manufacturing machinery, retailers, business expenses, corporate expenses. Why is a credit for education expenses for these people any less worthy than those tax credits for those organizations? I beg of you, my colleagues, do not pit the public schools against the private schools. We need both systems of education. I am no less committed to public education. With my support and forty-two of my colleagues supporting a bill that brings roughly four billion new dollars into education, I ask for your support of this -- this piece of legislation. If those of you who are unhappy or uncomfortable with it, obviously you have the liberty to vote No, but please don't look for an excuse and argue that it's not constitutional because that's just not the case. Please do not look for an excuse and talk about programs or cults or organizations that may qualify because that is a red herring, as well. There are IRS guidelines and there are constitutional rulings by courts that I'd be happy to provide you with. I ask for your favorable consideration. This is an extremely -- important piece of legislation to a worthy group of people. We have a legitimate public policy interest and I ask for your Yes vote. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. On one point I do agree with my distinguished colleague, Senator Cronin. I don't want this to be a -- a parochial or private school versus public school issue. That's not -- not the -- shouldn't be the -- part of the debate and I agree very strongly. I oppose this issue, however, on -- on a couple of different points. Number one, I have served -- I do not now, but I served for a number of years on a parochial school board. My own church supports a rather large elementary school and I -- I

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

feel very strongly about -- about any - any - involvement of State in our private schools. And I -- I can tell you without any hesitancy, there's already efforts being put forth in some areas for the State to come in and -- and have some authority over nonpublic, private, parochial schools. And that concerns me a great deal. So I have always fought it based on -- on that issue. I want my school to be run by my church, and I feel strongly about that and I shall not detract from that. Secondly, I think this does become a revenue issue, not just a revenue issue affecting public schools, but all of our State budget. And I would remind the Body, and here's a real shocker that's in this bill, this is only -- this is not only a tax credit against -- against income -- against income tax, but if you don't pay income tax, or if the -- if the credit exceeds the amount of tax, then it can amount to a rebate - a rebate, Ladies and Gentlemen. First time in history we've ever done this. And I think that puts a very dangerous amount of pressure on the State budget, and again, the unlikely -- the -- the -- our -- our lack of knowledge as to what this thing is going to cost the State's General Revenue Fund, I think, in itself, is enough to oppose House Bill 999.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I stand in reluctant support of House Bill 999, and let me tell you why. I think the comment was made that we don't want to pit one against the other, public versus private. This was just set up a few minutes ago to do so. I have always opposed this type of legislation - even the idea of it - and I have for a couple of major reasons, in my estimation. One, I still question the constitutionality. That, I am told, has been taken care of in other states. Secondly, I always said that I would not vote for

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

any legislation such as this until we have adequately funded public education. You just told me, you all, on the other side of the aisle and on this side of the aisle, forty-some voters said we have now taken care of public education and we have fully funded education. So those arguments are now set aside. But I'm going to tell you the one that I -- for myself, the reasoning that I like the best. I voted against the previous bill because there was no property tax relief. In this bill, we are going to give tax relief, and maybe we'll learn - maybe we'll learn - from giving private schools tax relief, that maybe we will learn from that to give our public-school payers tax relief. And for that reason, I am going to vote Aye.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. A lot of you know I have been adamantly opposed to this bill. Finally got a copy and read it, and it isn't as bad as I thought it was, I'll have to admit. I did have a question about what in the world is Title VI of the Civil Rights Act of 1964 and whether that meant race, color or the national origin, or race, religion and the national origin. And I find out it's race, color or national origin, which frankly doesn't make much sense, but that's federal government for you. I notice this also involves public schools, so I wonder if I could ask the sponsor a question. When you came up with the amount of money that you think that this might cost, did you take into consideration those of us, and I include myself because I have a couple of grandchildren that I support, that pay fees to the public schools? This last year I had the privilege of paying over two hundred and fifty dollars for books and some fees, and they're in grammar school. This is Glen Ellyn, which I'm sure you are well aware of, and next year I understand, when my granddaughter

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

goes into high school, that amount will double. So that means, according to your bill, that I will be entitled to a tax deduction or perhaps maybe even a tax rebate, where the State will write out a check for me. Is that correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Well, first of all, I know if -- if you feel that there may be a conflict of interest if you declare it and then -- I'm sort of kidding. Yes. The answer is, if you're a legal custodian, the bill provides that you would be the beneficiary, correct.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Do you have any idea whatsoever how many of us are in that same boat that are paying some fairly large fees to the public schools? And these are usually book rentals and lab fees and that type of thing that would fall underneath your -- your definition of what's going to be rebated, or refunded. Do you have any thought about that at all? Have you got any idea how many schools do that or how many schools might take advantage of this, as soon as they hear that indeed they will get, in effect, rebates?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

I'm informed that -- that the State Board of Education has -- has told us that their -- the overwhelming, vast majority, and almost without exception, of the public schools do not currently charge a fee that would exceed two hundred and fifty dollars, today.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SENATOR FAWELL:

Well, I hate to tell you this, Senator, but those of us who live in DuPage, that ain't necessarily true. We indeed do pay those fees and they are -- I have had complaints time and time and time again from people who have told me how much they have to pay the Glenbard system or how much they have to pay, when I had Elmhurst, the York system. And indeed...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR FAWELL:

...I think that may be a considerable amount of money. And I -- I would like to know how much money do you think this is going to involve? Because I have been told as much as a hundred, a hundred and fifty...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR FAWELL:

...two hundred, four hundred fifty million?

SENATOR CRONIN:

All I can do, in answering the question about the cost, is look at the current situation. Now, we can speculate about what may happen in the future, but the way it's set up is that if there is an expense that exceeds two hundred and fifty dollars per child, you got to pay a tuition or if you have a book and fee expense for that one child that expense -- that exceeds two hundred and fifty dollars, then you would be eligible. What you're telling me is that maybe Glenbard parents would be eligible. I don't think that's the case today, but it -- it could be the case in the future. I guess I would argue that -- that this is even a better bill, if there are people in your district from the Glenbard schools that may benefit from it.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Further discussion? Senator O'Malley.

SENATOR O'MALLEY:

Madam President, thank you. First of all, let me request that the record reflect that on the previous bill, House Bill 654, it was my intention to vote Yes, and I was caught up in Senator Watson's remarks, which were very enthusiastic, as we all recall, and wasn't paying attention, could not tell the difference between red and green. With respect to House Bill 999, I rise in strong support for this legislation. I know it's controversial in its -- in its nature. It's the first time we will have done what we're about to do at the elementary and secondary level. But I want to remind everybody that we -- we -- we have a very, very successful higher education system here in Illinois. And that system works very well because we -- we allow the private schools as well as the public schools...

PRESIDING OFFICER: (SENATOR DONAHUE)

Can I have -- please, Ladies and Gentlemen, we're carrying on our conversations again. Give the speakers your courtesy, please. Keep it down to a low roar, and if they're conferences dealing with staff, take 'em off the Floor. Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. As I was saying, we -- we -- we have here in Illinois a higher education system that has a unique partnership between publics and privates. And what we have an opportunity to do here today is not weaken public, but -- but strengthen public, I believe, and strengthen our overall education system, similar to what we've done at the higher education level. Again, I rise in strong support and urge an affirmative vote for House Bill 999. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Viverito. Further discussion?
Senator Berman.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SENATOR BERMAN:

Thank you, Madam President. I rise in opposition to this. And I rise in opposition, but as I've stated in committee when this bill was presented to us, I think it was Wednesday, I have great respect for the nonpublic sector. I think that, in most cases, they do an excellent job. But I would suggest to all of us that timing is everything and this is bad timing. And what I mean by that is this: A Yes vote on House Bill 999 - the bill is not amended - a Yes vote sends this bill to the Governor's desk. I don't know whether the Governor's going to sign it or not. But the bill that we previously passed, House Bill 654, is amended. That has to go back to the House. I said in committee that, in my priorities, I have to take care of the public schools before I address the needs of the nonpublic schools. And with the uncertainty of what's going to happen with 654 - I've talked to some House Members; they're -- they're not certain they -- nobody has said to me 654 is passed in the House. I would just suggest that this is not the time to pass House Bill 999. Aside from the substantial cost - a hundred million, a hundred and fifty million; you know, pick your number - I just think that for those of us who have said that public education is our number one priority, we haven't addressed that in a final posture yet, and I would just suggest at this time either a No vote or a Present vote on House Bill 999. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, Ladies and Gentlemen of the Senate, I am for education - that includes private and public. I'm a product of both public and private education, private in law school and public in junior college and high school and grammar school, one year in a private school, in a parochial school. When we help the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

private schools, we are helping take some of the tax burden off of us. And I can tell you that I was the one who sponsored some years ago, in my first term in the Senate, a bill that provided textbooks for parochial schools and the Supreme Court of the United States, if I recall correctly, said it was legal. So I don't think this is any different, and I think if we can help families who do send their children to the private schools, they are taking off a tax burden from us and they're still paying taxes to support the public schools. I think this is a bill that should be honored and I certainly speak in favor -- of it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Senator, on -- on the same line of questioning as one of the other Senators, I think, Fawell, Senator Fawell, if someone chooses to send their children out of district to a public school that has a declining enrollment and will, in fact, accept children from other districts in public -- from a public school, if they pay a tuition cost, will this bill allow you to do that?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Yes. I think this bill would cover that.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins.

SENATOR COLLINS:

Well, Senator, that's another problem with this bill because it really -- it -- it is almost impossible to calculate the fiscal

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

impact because you don't know just how many parents will opt to do that. And I can assure you, a considerable number of parents would opt to do that. For example, I represent the schools in the suburbs, as well as Chicago, but most of my school districts are in the suburban Cook County. Most of the schools -- well, now Chicago school are -- are -- improving, but there was a time when you would have gotten -- a lot of parents would have paid for their kids to go to Oak Park, especially that there were -- Oak Park, River Forest High School. You're familiar with that. And they can do that, with a fee. So for that reason, if there are other districts that will do this, parents will do the same from other districts with the inclining -- declining enrollment, you could be looking at a tremendous amount of money here that -- that's unaccounted for.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator...

SENATOR COLLINS:

Like Senator Berman, I really do feel that this bill is just bad timing, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Cronin.

SENATOR CRONIN:

Well, you point up a -- an interesting scenario, and I guess I'd look at the same set of facts and say that that's a -- a benefit to the bill. You talk about people in your district that may wish to attend Oak Park High, and I know that issue. My -- my -- I represent a portion of Oak Park; my wife's a graduate. And I guess the tuition there, or the cost, the per-pupil cost, is about nine thousand dollars, if I'm not mistaken. So, for people who want to go there and pay the nine thousand dollars and get five hundred back in a credit, you know, I wouldn't say that that's a -- an unfair deal, necessarily, giving them an opportunity in

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

exchange for five hundred dollars, although I think it's probably highly unrealistic that that's going to happen.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

Well, first of all, it's not nine thousand dollars and there are kids doing that right now at that school. Let me just say that -- I had begun to say that this bill is bad timing. If this bill passes, what we would have done, in effect, neutralizes the revenue from the bill that we just passed before, that we all talked about "education first" and funding the -- the public school system. If you pass this bill at this point and it goes to the Governor's desk, you have basically neutralizes the revenue stream from this bill. So I'd like to ask another question. Will the Governor be willing to fund this bill out of revenue growth?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

You know, I can't speak for the Governor. I don't know. I -- if I had to say, he probably doesn't look very favorably upon this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Collins.

SENATOR COLLINS:

I didn't -- you said the Governor's not in favor of the bill, did you say?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

I can't speak for the Governor. But if you ask me what my opinion is about his view of this bill, I would say he's probably not thrilled about it.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins.

SENATOR COLLINS:

Thank you. I am not opposed to giving every taxpayer in this State some kind of benefit or support for their children, those who decide to send their kids to a parochial school or to any other school, if all things were equal and we had the opportunity, the revenue stream, to -- to afford it. We have not solved the funding problem. I have some real problems. My obligation first is to the public school system. The passage of this bill will neutralize the revenue stream that we have for the bill that we just passed for public schools. So I think it's -- it's bad timing and we just shouldn't do it now.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Viverito.

SENATOR VIVERITO:

Madam President, Members of the Senate, I rise in favor of this particular bill and commend Senator Cronin on what he's trying to do here today, trying to make Illinois be a leader, rather than a follower. You know, it's very, very easy to tell us about timing is bad, timing is poor. Everywhere I go I read the paper and we have less unemployment, the economy is at its peak. We have given no consideration to the private schools. And in my particular area, and I'm suburban, with Chicago as well, there are numerous private schools in the area, and I've taken the time to visit them and each and every one of them are in need of help. The difficulty comes when they say the timing isn't right. There has been no better time to help the private schools than now. Unfortunately, many of the schools that I visited on the southwest side are in dire need of help. We see many of our clergy today that are having difficult times in many of our churches, whether they be Catholic, Protestant, Baptist. Many of them today are

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

looking for some type of help. And I'm kind of sitting in a particular position in suburban Cook County, where many of my constituents ask me, "What are the Democrats doing for us?" All we do is fund, fund, fund the public education and never give any consideration to the private sector. I voted today for helping the schoolchildren. I got no property relief. I get no funding in our particular area, whatsoever, but you convinced me, my colleague, Senator Berman, that this was good for all the children and I believed you, and I voted for it. I wanted to vote on Edgar's bill. I wanted to vote for property relief. I wanted to vote for a State income tax that we can all afford. I recall every year when I pay my federal tax and I say: Oh, my God, I have to come up with more? And when I pay my State income tax, I say: Is that all? I know that most of us in this room truly wanted to vote for that bill. We didn't; we made a compromise. That's what politics is all about. I could care less if I was reelected or not elected. My conscience is clear and I say to you, especially my colleagues on this side who, frankly, haven't given me too much encouragement on 999, but I'm going to tell you something, fellows: Many of the people in your particular areas are looking at you today and what you're going to do, and how you're going to do it. And I'm telling you right now, especially you and some of you that are on the swing area: They're going to take a long, hard look this time and you're going to see and you're going to be sorry if you don't punch that green today. I'm saying what I believe, and I commend Senator Cronin, and I commend Kevin McCarthy in the House for what he did. It's not easy to stand up for your rights; but when people are being jeopardized their own thoughts and wishes, blue-collar people that are sacrificing to send their kids to their own private schools and can't even afford it, and some in my particular area, the school is almost to the point where I wonder how they're even surviving.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

But yet when you walk through the transfer of rooms or recess, it's quiet. And you know what? I'm telling you a fact: We ought to be encouraging it, because one of these days if they all close, you think you have problems with schools now, you're going to have a lot bigger problems in the future. I beg of you, put yourself in the position of your grandmothers and grandfathers that wanted to send those kids to the private schools and vote your conscience rather than your "Oh, it might cost us a little something extra." And you know what? Bring Him into your heart and He'll do a lot more for for you. Thank you very much.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you very much. Let me just -- thank you very much, Madam President. Let me just be brief, if I might. Senator Cronin, I, too, am a product of a parochial school - grade school. There are -- many points of this -- that were just made in -- in debate with respect to parochial schools, I think are valid points. I have a couple of concerns about your bill and that is, in the interpretation that I read, there is a possibility that home schoolers, for example, could be eligible for the reimbursement or even those individuals, for example, who are on public aid who meet the threshold of the two-hundred-and-fifty-dollar deduction could file and get a five-hundred-dollar tax credit reimbursed back from the State. I think there are a lot of good points in this bill, and if this bill were tightened up and more narrowly drawn, then I think you could get some additional support. But I think at this particular time, I would certainly urge a -- either a Present vote or a No vote until those matters are -- are cleared.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SENATOR CRONIN:

Vince, first of all, we can't draw the bill in a way that you're suggesting because that would be discriminatory and it would be violative of the Constitution. Secondly, if a family is making less than seventeen thousand dollars a year and -- and -- which is the eligibility level for public aid, and they're making the sacrifice to send their kid to a nonpublic school because they're trapped somewhere, presumably, God bless them. I think they deserve the five-hundred-dollar credit.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Petka.

SENATOR PETKA:

Thank you very much, Madam President, Members of the Senate. I am a product of a -- a Catholic grammar school and, in fact, a Catholic high school. My children went to a Catholic grammar school, but they attended public high school in Plainfield. My wife was a product, totally, of the public school system and currently teaches in a public school system. This is an issue that I believe, more than any other issue I can think of, really tells us what we're about in this State. We've heard pious speeches being made about the children of the State of Illinois and we've heard -- and I have just voted for the -- for the first tax increase I've ever had my name on because I support the arguments that we need to do more for education. But there is a small group of parents out there who have to roll up their sleeves - I call them the "lunch bucket crowd" - who believe that perhaps the -- that it is in their children's best interests, in addition to giving them a quality education that they would be getting, for example, in most of the schools in my district, but also having the opportunity to have, perhaps, some values attached to that education. And it is ironic that there are those who have raised here a question of the separation of church and state as being a

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

reason of opposing this legislation. It's ironic because members of school councils in -- in various parishes throughout my -- my district have asked me to step forward and also to -- to lend support so that their children have an opportunity to go to private schools if they choose. What we are giving here really is a mere pittance of the cost of education and -- and the type and quality of education which is delivered, in my opinion, in private schools really - speaking from a very personal perspective - really can't be replaced. For those of you who simply feel that the bill is unconstitutional, I believe that is simply a rationalization to vote against this bill. The -- the courts -- and I believe that Senator Cronin pointed this out in his opening statement: We're not dealing with a constitutional issue here, and especially the way that this bill is drawn. For those who are concerned about cults or weirdos simply raiding the State Treasury, let me simply point out this: that any organization or any group that seeks to -- to assert itself under -- for a tax-exempt status is subject of very intense scrutiny by keepers of the Treasury in Washington. I do believe that the time has come to -- to basically say thank you to those many people who, contrary to the assertions of some, are simply not as fluent, but hardworking souls, who choose what they think is the better way to raise their children. Our way of saying thank you to them is to give them a little break, a little break on their -- on their State income tax credit. I strongly support this bill. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Mr. President. I'll also be brief. Would the Senator yield for cross-examination? I mean -- a question.

PRESIDING OFFICER: (SENATOR MAITLAND)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Indicates he will yield, Senator Molaro.

SENATOR MOLARO:

The only question that I would like to ask you is - and I am for the bill, so don't get nervous, Senator Cronin, but I do have to ask: Are we giving this credit so the people who are making the sacrifice and opt to send their children to private school get a tax break, or are we doing it so more money can flow into private schools in more tuition?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

We are doing this -- or, my motivation to do this is to provide some relief to the parents and families, just like we have provided relief to manufacturers who purchase heavy equipment, farmers, retailers. I just think this group of people is no less worthy and provides no less of a public good.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Molaro.

SENATOR MOLARO:

Thank you. Well, I hope Representative McCarthy feels the same way - I saw him in the Chamber a few minutes ago - only because -- I know I'll probably get in trouble for saying this with some of the parish priests or Archbishop George, but I just would hope that they don't come up and raise tuition and then wind up going to the poor parishioners and saying, "Well, okay, we're going to raise tuition, but don't worry about it; you'll get three, four hundred dollars back when you -- when you file -- fill out your income tax." I hope it is used to ease the burden, and that was my comment, and I'm glad you said it. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Cronin, to close.

SENATOR CRONIN:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We've pretty thoroughly debated the issue and I don't think there's any point that really hasn't been adequately addressed. I -- I really appreciate your indulgence. I appreciate the open-mindedness of many legislators. I appreciate the commitment to education and to all children. We have routinely done tax credits. Helping this group of people, I believe, helps all schoolchildren, public schoolchildren included, and I think that this a very, very important vote for a lot of people. And I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

Just for the record, it'll take thirty votes to pass House Bill 999. The question is, shall House Bill 990 {sic} (999) pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 38 Ayes, 14 Nays, 6 Members voting Present. House Bill 999, having received the required constitutional majority, is declared passed. Ladies and Gentlemen, we'll just stand at ease for a moment here.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, let's come back to order if -- if we might. On page 7 of the -- of the Calendar is Senate Bill 9, on the Order of Concurrence. Senator Radogno. Mr. Secretary, read the bill, please.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 9.

The motion filed by Senator Radogno.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Radogno.

SENATOR RADOGNO:

Thank you. Senate Bill 9, as you'll recall, modified the Criminal Code to make it a felony offense to harass someone using the Internet or other electronic communication devices. The amendment -- or the -- what we're concurring to is language agreed to by the Attorney General and the Illinois State Bar Association. Makes two changes. One, it modifies the rebuttable presumptive language with respect to repeat offenses, and secondly, it eliminates the forfeiture language. I would urge our concurrence with them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, Ladies and Gentlemen, this is final action. The question is, shall the Senate concur in House Amendment No. 2 to Senate Bill -- Senate Bill 9. 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, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 9. And the bill, having received the required constitutional majority, is declared passed. Committee Reports.

SECRETARY HARRY:

...Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Executive - Conference Committee Report 1 to House Bill 18; and Be Approved for Consideration - Senate Amendment 2

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

to House Joint Resolution 30, Senate Amendment 5 to House Bill 1005, Conference Committee Report 1 to House Bill 229, and Conference Committee Report 1 to House Bill 606.

PRESIDING OFFICER: (SENATOR MAITLAND)

Introduction of Bills.

SECRETARY HARRY:

Senate Bill 1222, offered by Senator Rauschenberger.

(Secretary reads title of bill)

House {sic} (Senate) Bill 1223, by Senator Jones.

(Secretary reads title of bill)

And Senate Bill 1224, by Senators Dillard, Petka and others.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR MAITLAND)

Resolutions.

SECRETARY HARRY:

Senate Resolution 130, offered by Senator Shaw.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

Consent Calendar. Ladies and Gentlemen, if we could come back to order, please. On page 3, middle of the page, House Bills 2nd Reading, is House Bill 533. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 533.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 1116. Senator Sieben. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1116.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. House Bill 2333. Senator Peterson. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2333.

(Secretary reads title of bill)

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

PRESIDING OFFICER: (SENATOR MAITLAND)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. Ladies and Gentlemen, being distributed now is Supplemental Calendar No. 2. Supplemental Calendar No. 2. House Bill -- Conference Committee Reports, House Bill -- on -- on House Bill 606. Mr. Secretary, do you... ..Secretary, do have on file a Conference Committee Report on House Bill 606?

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SECRETARY HARRY:

Yes, Mr. President. First Conference Committee Report on House Bill 606.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would ask that the Membership vote No or Present on this Conference Committee and I would request a Second Conference Committee if this one goes down.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 606. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 2 Ayes, 23 Nays, 2 Members voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House. And Senator Weaver requests that a committee on -- a Second Conference Committee be appointed. Those in favor, signify by saying Aye. Opposed, -- same sign. Motion's carried. Senator Madigan, for what purpose do you arise, sir?

SENATOR MADIGAN:

Thank you, Mr. President. Purpose of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your announcement, sir.

SENATOR MADIGAN:

That the Committee on -- Senate Committee on Insurance and Pensions will meet immediately in Room 212. Consider amendment on House Bill 1296.

PRESIDING OFFICER: (SENATOR MAITLAND)

The Committee on Insurance and Pensions will meet immediately after the recess in Room 212. Senator O'Malley, for what purpose do you arise, sir?

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SENATOR O'MALLEY:

Mr. President, for purposes of an announcement. There will be a meeting of the Senate Education Committee in Room 212 immediately following the meeting of the Insurance Committee.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator O'Malley announces that the Senate Committee on Education will meet immediately following the -- the Senate Committee on Insurance and Pensions in Room 212. ...Watson, for what purpose do you arise, sir?

SENATOR WATSON:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your point.

SENATOR WATSON:

Yes. Thank you, Mr. President. Today will be the last day for John Nicolay, one of our staffers here. John is going to be leaving us actually -- John's going to be leaving us actually the latter part of December, but obviously we won't be in Session; this is our last day on the Floor. And John has worked with us for several years, worked for me for quite a bit longer than that. He's from Sandoval in Marion County in my district. He's been on our staff and appreciate the work that he's done and certainly want to -- to wish him well. John's standing over here next to Senator Donahue. Thank you very much. He's going to the City of Chicago, so...

PRESIDING OFFICER: (SENATOR MAITLAND)

John Nicolay, we wish you well. Ladies and Gentlemen, on page 7, middle of -- of your Calendar, middle of the page, Secretary's Desk, Resolution, is House Joint Resolution 30. Mr. Secretary, have there been any amendments approved for consideration?

SECRETARY HARRY:

House Joint Resolution 30 is offered by Senator Geo-Karis.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

The Committee on Executive adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis. Are there any Floor amendments?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Amendment 2 states very clearly that this House Joint Resolution 30 refers to changing North Avenue in Chicago, which is Illinois Route 64, from Lake Shore Drive to Interstate 294 in memory of Cardinal -- Joseph Cardinal Bernardin, and I move its adoption.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I'm very happy to rise in support of this resolution and the amendment. Been working with Senator Geo-Karis on this. My State Representative, Judy Erwin, sponsored this and passed it out of the House. This amendment is just a cleanup and urge your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there further discussion? Senator Geo-Karis has moved the adoption to Floor Amendment No. 2 to House Joint Resolution 30. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the amendment carries. To the resolution... To the resolution, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, it was my privilege to have known Joseph Cardinal Bernardin in his lifetime. He was one of the finest gentlemen I had ever met. He

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

was a true man of the cloth. He was a man who had been honored not only nationwide, but internationally. Also honored by the President of the United States. And he was a great example for the clergy - not only as an individual, but also as a very dedicated clergyman. There -- I -- my -- my colleague, Senator Cullerton, and I felt very comfortable with recommending that the North Avenue between Lake Shore Drive to Interstate 294 should be renamed as Cardinal Bernardin Drive, and I think that it really -- to Cardinal Bernardin Avenue. I think that it is only fitting when you know that this man went through so much tragedy, so much heartache, so much illness, and yet he was so brave that he wrote about the illness as if it was an experience where he relished the experience because it made a better person out of him. And we could all take lessons from him. There were a number of my colleagues who joined me on this Joint Senate -- House Resolution. Senator Cullerton is my immediate cosponsor, and along with Senator Cullerton, there were Senator Petka, Senator Dudycz and Senator Cronin, and a number of others I can't recall right off the bat. But I do feel it's the least we can do for a gentleman of the cloth who was a great example and a great model for all of us to -- to follow for his sincerity, his dedication, his integrity and his honorable conduct. And I move the passage of this resolution.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. It's appropriate, I think, that we -- we name this portion of North Avenue for Cardinal Bernardin. His house is -- and now his successor lives there, of course - the Cardinal's mansion is right near North Avenue and Lake Shore Drive. The Cardinal was my constituent. Every time I saw him I -- I would kind of kid him

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

and say, "I am" -- "Cardinal, I am your State Senator," and he says, "I know, and I am your Cardinal." And it was -- it was a -- he put me in my place. He was a great guy. We did talk about legislation. We talked about the -- the tough times that he had, and the -- the way he -- his life ended was just beautiful. So it's very appropriate that we have this -- this street named after him, and I congratulate Senator Geo-Karis in her sponsorship of this measure.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Geo-Karis, to close.

SENATOR GEO-KARIS:

I'd like to mention, Mr. President, Ladies and Gentlemen of the Senate, today makes one year that Cardinal Bernardin passed away. And God rest his soul and God bless all of us who supported him and still support him and his great name. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Geo-Karis has moved the adoption of House Joint Resolution 30. 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? ...the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. The Senate does adopt House Joint Resolution 30. Ladies and Gentlemen, Supplemental Calendar No. 1 is on your desk. House Bill 1400. Senator Madigan. Madam Secretary, do you have on file a Conference Committee Report on House Bill 1400?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on House Bill 1400.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President, Members of the Senate. Conference Committee Report No. 1 to House Bill 1400 is basically a cleanup

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

to Senate Bill 802 that we passed in the spring Session that was signed by the Governor. It has to do with the federal law on portability and further amendments to the CHIP administration act in order to bring it further into compliance with federal law. I'd be happy to answer any questions on Conference Committee Report No. 1. There is no opposition to the administrative changes in the Statute.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1400. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 58 Ayes, no Nays, no Members voting Present. The Senate does adopt the Conference Committee Report on House Bill 1400, and the bill, having received the required constitutional majority, is declared passed.
Introduction of Bills.

ACTING SECRETARY HAWKER:

Senate Bill 1225, offered by Senator Dudycz.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver, for what purpose do you arise, sir?

SENATOR WEAVER:

For a purpose of an announcement, Mr. President. There'll be a Rules Committee meeting in the Anteroom right away.

PRESIDING OFFICER: (SENATOR MAITLAND)

Rules Committee meeting in the Anteroom immediately.
Resolutions.

ACTING SECRETARY HAWKER:

Senate Resolution 131, offered by Senator Link.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

It is a death resolution.

PRESIDING OFFICER: (SENATOR MAITLAND)

Consent Calendar.

PRESIDING OFFICER: (SENATOR DONAHUE)

Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Refer to Executive Committee - Conference Committee Report No. 1 to Senate Bill 493; and refer to Revenue Committee - Senate Amendment No. 1 to House Bill 1817.

Filed by Senator Weaver, Chairman, November 14, 1997.

PRESIDING OFFICER: (SENATOR DONAHUE)

The Senate will stand in recess till the call of the Chair, while the Insurance Committee meets, then followed by Executive -- or, Education Committee, in 212.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR MAITLAND)

Senate will come to order. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Refer to the Committee on Appropriations - Senate Amendment 2 to House Bill 398 and Senate Amendment 2 to House Bill 868; and to the Committee on Insurance and Pensions - Conference Committee Report 1 to Senate Bill 3.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger, for what purpose do you arise, sir?

SENATOR RAUSCHENBERGER:

Thank you, Mr. President. For purposes of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your announcement.

SENATOR RAUSCHENBERGER:

The Senate Appropriations Committee will meet in Room 212 at 6:30 to consider two amendments that will contain the supplemental action of the Senate in this Veto Session.

PRESIDING OFFICER: (SENATOR MAITLAND)

The Senate -- Senate Committee on Appropriations will meet in Room 212 at 6:30. Senator Madigan, for what purpose do you arise, sir?

SENATOR MADIGAN:

Thank you, Mr. President. Purpose of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your announcement.

SENATOR MADIGAN:

That the Senate Insurance and Pensions Committee will meet at 7 p.m. in Room 400 to consider the amendment to Senate Bill 3. That's 7 p.m., in Room 400, the Insurance and Pensions Committee.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan suggests that the Pension and Licensing {sic} Committee will meet in Room 400 at 7 p.m. Senate stands in recess to the call of the Chair.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR MAITLAND)

Senate will come to order. Ladies and Gentlemen, let me tell you that we're going to be going, first of all, to House Bills 3rd Reading. So as quickly as you can, please come to the Floor. Then we'll be dealing with Supplemental Calendar No. 3, which addresses two conference committee reports: Senator Philip, on House Bill 229; Senator Weaver, on Senate Bill 493. So as quickly as you can come to the Floor, we'll get under way. Committee Reports.

SECRETARY HARRY:

Senator Madigan, Chair of the Committee on Insurance and Pensions, reports Senate Amendment 2 to House Bill 1296 Be Adopted.

Senator Cronin, Chair of the Committee on Education, reports Senate Amendments 2, 3, and 4 to House Bill 1005 Be Adopted; Senate Amendment 2 to House Bill 1098 Be Adopted.

Senator Klemm, Chair of the Committee on Executive, reports House Bill 18, the First Conference Committee Report Be Approved for Consideration; and Senate Bill 493, the First Conference Committee Report Be Approved for Consideration.

And Senator Peterson, Chair of the Committee on Revenue, reports Senate Amendment 1 to House Bill 1817 Be Adopted.

PRESIDING OFFICER: (SENATOR MAITLAND)

...we go to the Order of House Bills 3rd Reading. Senator Dillard will be first with 1005. Second bill will be House Bill 1296, Senator Madigan. And the final bill on 3rd Reading will be House Bill 1817, Senator Watson. Senator Demuzio, you have a number of Members missing. Are they on their way to the Floor? We'd kind of like to get rolling. Senator Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

They -- they didn't give me their proxies this time, so I think we'll probably have to wait. Could you ring the bell?

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. On the Order of House Bills 3rd Reading is House Bill 1005. Senator Dillard, do you wish this bill returned to 2nd Reading for the purpose of amendment? Senator Dillard seeks leave of the Body to return House Bill 1005 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On that Order of 2nd Reading is House Bill 1005. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. We had a hearing in committee moments ago and we considered Amendments 2, 3, and 4. These amendments passed out unanimously with bipartisan support. Amendment No. 2 deals with the IGAP test. This is the recommendations that had been made by the State Board, with input from -- from many different quarters, and it sets up the regular testing, as is required in the law that we passed in "quality first" last Session. It establishes a full State testing schedule. Maintains the requirements that we passed, as I say, last Session, to require State testing at the third and fifth grades for reading, writing and math, and to require all students to take this Prairie State Achievement Exam during the twelfth. Maintains a starting date for the new testing and -- for grades three through eleven as spring 1999, and the starting date for the Prairie State Achievement Exam in the spring, year 2000. Amendment No. -- forgive me. That's the sum and substance of Floor Amendment No. 2. I'd be happy to answer any questions. I do have one statement I'd like to make for

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

purposes of legislative intent. Some groups were concerned about the -- the definition of "testing" and the exact definition of the word "academic". As many of you know, there's been some controversy over the years about what constitutes testing, and the definition of "academic" testing is as follows, for purposes of intent: Questions and answers that are objective, measurable and where possible, quantifiable to measure the knowledge, skill and ability of students in the traditional core subjects of math, science, English grammar, literature, history, geography, civics and government. These tests shall not include, one, subjective assessments; two, assessment or evaluation of attitudes, values and beliefs; and three, testing of personality, self-esteem or self-concept. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin has moved the adoption to Floor Amendment No. 2 to House Bill 1005. Is there discussion? Senator Welch.

SENATOR WELCH:

I have -- I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Welch.

SENATOR WELCH:

Senator Cronin, these are additional tests that are being mandated on local schools to be -- to be imposed on students. Is that true?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

The schedule that we're proposing in this law is identical to what we do now. You may recall that we passed a bill last Session - I guess, year ago, two years ago - the renowned "quality first" legislation, and in that bill we deleted testing for grades five, seven, nine, and we had in the bill that we would revisit this

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

issue, study it and then come forward the following Session with a recommendation. What we're recommending here is what we do.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Welch.

SENATOR WELCH:

Did anybody show up in opposition in the committee to this proposal?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

No. There was no opposition, and as I say, it passed out unanimously.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Further discussion? Senator Cronin has moved the adoption to Floor Amendment No. 2 to House Bill 1005. Those in favor will say Aye. Opposed, same sign. Motion carried. The amendment is adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 to House Bill 1005 adds some language to make technical changes to the Chicago Teacher Pension Fund Article. Changes are necessary to correct a problem the Chicago school district is having with their charter schools making contributions directly to the Fund. The changes are supported by the Chicago School Board and the CTU, or Chicago Teacher Pension Fund. I ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Senator Cronin has moved the adoption of Floor Amendment No. 3 to House Bill 1005. Any discussion? If not, all those in favor, signify by saying Aye. Opposed, Nay, same sign. Motion's carried. The amendment is adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 4, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cronin.

SENATOR CRONIN:

Amendment No. 4 amends the IGAP language that we just discussed in Amendment No. 2, but it kind of emphasizes the point that I made with respect to the statement for purposes of intent, and that is that all IGAP tests must be academically based. The amendment is an attempt to -- to make sure that everyone is supportive of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? If not, Senator Cronin has moved the adoption of Floor Amendment No. 4 to House Bill 1005. Those in favor will say Aye. Opposed, same sign. Motion -- Ayes have it, and the motion is carried, and the amendment is adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

Amendment No. 5, offered by Senator Berman.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Amendment No. 5 allows Chicago to participate in two new block grants created by House Bill 654. Move the adoption of Amendment No. 5.

PRESIDING OFFICER: (SENATOR MAITLAND)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Senator Berman has moved the adoption of Floor Amendment No. 5 to House Bill 1005. Is there any discussion? If not, all those in favor, signify by saying Aye. Those opposed, same sign. The Ayes have it. The motion carried, and the amendment is adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. 3rd Reading. On the Order of House Bills 3rd Reading is House Bill -- 1005. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1005.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Cronin and Senator Berman just explained numerous amendments to this bill. I think they've been thoroughly described, and my portion of the original bill has been deleted or excised from it. I'm sure that Senator Cronin or Senator Berman, as the amendment sponsors, which have become the bill, would be happy to answer any questions, and I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, the question is, shall House Bill 1005 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Members voting Present. House Bill 1005, having received the required constitutional majority, is declared passed. Top of page 3. House Bill 1098. Senator Watson, do you wish this bill returned to the Order of 2nd Reading for the purpose of amendment? Senator Watson seeks leave of the Body to return House Bill 1098 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1098. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. Senate Amendment No. 2 to House Bill 1098 comes to us by way of the East St. Louis Oversight School Panel that we put into place several years ago. Senator Clayborne and I are sponsoring this particular amendment, and it gives the Oversight Panel some additional authority, primarily in approving the hiring, dismissal and assignment of duties of the district superintendent and the chief school business official. And it provides that if the Oversight Panel removes any school board member, the vacancy on that board will be filled by the appointment by the regional superintendent. It provides that the superintendent of the East St. Louis School District need not hold a superintendent certificate, and it provides that the Oversight Panel may have its own employees perform financial functions, including payroll, accounts payable, revenue receipt, and related accounting and data processing functions. I -- there was -- the IFT was in support. There was no opposition and be glad to answer any questions, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Senator Watson has moved the adoption of Floor Amendment No. 2 to House Bill 1098. Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. On the Order of House Bills 3rd Reading is House Bill 1098. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1098.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. This is the bill we just discussed. Senator Clayborne and I both support this amendment and this legislation. It gives considerable additional powers to the Oversight Panel in the East St. Louis schools. And I'd ask for your support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Hawkinson.

SENATOR HAWKINSON:

Some of my schools were in support of the original bill. Is the original bill still in place?

PRESIDING OFFICER: (SENATOR MAITLAND)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Senator Watson.

SENATOR WATSON:

No, it is not. It's out.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Hawkinson.

SENATOR HAWKINSON:

Did it pass in another form?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Watson.

SENATOR WATSON:

Yes, thank you. That was in the bill that just passed. The original language of this legislation was in the bill that we just passed. "Christmas tree" bill in the Education Committee.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Further discussion? If not, the question is, shall House Bill 1098 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 56 Ayes, no Nays, no Members voting Present. House Bill 1098, having received the required constitutional majority, is declared passed. Senator -- Senator Peterson, what... Okay. All right. House Bill 1296. Senator Madigan, do you wish this bill returned to the Order of 2nd Reading for the purpose of amendment? Senator Madigan seeks leave of the Body to return House Bill 1296 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is Senate {sic} Bill 1296. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senators Luechtefeld and Madigan.

PRESIDING OFFICER: (SENATOR MAITLAND)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. -- Mr. President and -- and Members of the Senate. Senate Floor Amendment 2 to House Bill 1296 has two provisions. The first provision allows SURS members who were active employees on July 7th, 1997, and retire after -- December of -- 31st of 1997 {sic} (1/1/98), to elect to retire under the provisions of the old -- of the old plan before the flat-rate formula was passed. In this particular situation, there were a number of short-term employees at universities who were promised insurance. Also, most of them were very low-income employees at the universities. Most people with a university in their particular district would be certainly more aware of this, and this would simply allow them to stay on the old plan if they would like to at retirement. The second part of this -- this particular amendment deals with the second elected annuitant for the TRS Board, which passed the Senate last year. I would answer any questions that they might have.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Luechtefeld has moved the adoption of Floor Amendment No. 2 to House Bill 1296. Is there discussion? Is there discussion? If not, all those in favor, signify by saying Aye. Opposed, same sign. Motion carried, and the amendment is adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. On the Order of Senate Bills -- House Bills 3rd Reading is House Bill 1296. Mr. Secretary, read the bill.

SECRETARY HARRY:

House Bill 1296.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Thank you, Mr. President, Members of the Senate. We -- we have certainly discussed those two issues. I would be willing to answer any questions. Would ask for the support of the Senate.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Would the sponsor yield? Senator, is there a price tag on this bill? As I understand it, the -- the money to pay for this will not come out of any pension fund; it'll come out of the General Revenue Fund. So I wonder if you have an estimate as to how much it would cost. I...(microphone cutoff)...see how it compares to yours.

PRESIDING OFFICER: (SENATOR MAITLAND)

He indicates he will yield, Senator Cullerton. Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, again, there isn't -- very difficult to say how many people would take this plan, and therefore it -- it is extremely difficult to -- to nail down a price. And I've seen a number of things - I really have - all the way up to, you know, over a five-year period, some ninety million, ninety-eight million dollars. Much less, I think. I really think that many of these people will go with the flat-rate formula and the expense will not be near as great as it -- as -- as it appears.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Well, I guess I'm not going to get a number out of you. We -- we did hear from testimony in committee that there's about thirty-five thousand employees under twenty years, if -- and most of them would take advantage of this, and our figure is ninety-eight million dollars over a five-year period - let's say about twenty million a year - which is fine 'cause we have a lot of money, apparently. We've been -- we've been spending it today. The problem is that this only deals with the university; does not deal with the State employees who are treated unfairly as a result. So there's cost involved, and the Democratic Members in the committee voted Present, or most of them did, because of this concern. It's not equal. They -- the committee refused to consider another amendment that would treat the State employees in a similar way. And -- and I just think that when we vote for these things -- this is not coming out of a pension fund; this is coming out of our own General Revenue Fund, and it's going to be about twenty million dollars a year more. And it's not something that was agreed to when we first passed this provision. I don't know what the Governor's position is going to be, but I just think people should be aware of these numbers when they vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR MAITLAND)

Indicates he will yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, could you tell me why it's -- it's necessary to do this in the closing hours of a Veto Session, when hopefully we could all come back together here in January and February and do this in a studied and careful manner and understand the -- the implications of this?

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

Senator, first of all, the Veto Session is an extremely short period of time, and the second reason is that they must make up their mind by January 1st, as to what they would like to have, as far as their retirement.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator, wouldn't it be safe to say that you could change the decision date in the bill -- well, let me, I guess, just assume that you could. So I'm -- guess I'm not real comfortable with that second part of the answer. I guess I'd ask you if you -- you're familiar with the concept of ratcheting or teeter-tottering, which is a phenomena we see down here in Springfield when it comes to benefits. Sometimes if you do it for the firemen, pretty soon the policemen are saying "I want equal benefits", and -- and you sometimes see it in clerk stipends or sometimes you see it in -- in what we do for county officials. I guess -- you know, I certainly respect the sponsor and am very interested in working on the problem, but at a time when we can't get agreement with the Executive Branch to deal with the community providers of the State of Illinois for a cost of living adjustment when they've gone two years without one, when we're trying to make some other hard decisions, I -- I just wish you'd consider, perhaps, taking it out of the record and -- and letting us do some more substantive work on this before we enter into this.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

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

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

First of all, there's a part of this bill I think's real good - the -- the additional annuitant, I think, which we're -- we're all basically for. I think it was mentioned earlier about the ninety-eight million dollars over a five-year period for thirty-five thousand people. I don't know if I really have a problem with that or if I don't, but one thing I -- I did find out after committee which I wasn't aware of: One can work five years and be sixty years of age and receive this benefit. Is that correct?

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Luechtefeld.

SENATOR LUECHTEFELD:

I believe that's right.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

I think, you know, I -- I got to agree a little bit with Senator Rauschenberger. I'm -- I'm not trying to kill your bill. It's -- it's one that very well may fly, but, you know, I have some problems that we haven't included other State employees and we're singling out thirty-five -- potentially, not necessarily thirty-five thousand, but we're singling out potentially thirty-five thousand people who work for universities. What makes them so much more special than our regular State employees?

PRESIDING OFFICER: (SENATOR MAITLAND)

Is that a question, Senator? Senator Luechtefeld.

SENATOR LUECHTEFELD:

First of all, Senator, the State employees did not come to me, and secondly, you know, we have a -- we, as Senators, simply have -- we have an awful lot of people who come to us for an awful lot of things, and many times we maybe feel that it's not a legitimate complaint. I was not in this Body when this promise was made to

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

those people. The promise may have been a wrong promise, to guarantee someone insurance after five years of working, but that promise was made, and that made some sense to me, as to a promise that they were guaranteed at the time and then it was taken away. And it simply made some sense to me.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Jacobs.

SENATOR JACOBS:

Well, first of all, it's my understanding that the -- the other State employees did pass the Pension Rules Committee {sic}, that they did have an amendment in. You may not have been aware of that, and I understand that, Senator. But, you know, who made the guarantee? I mean, it seems to me a little ludicrous to think that one would make a guarantee to allow for health benefits -- full health benefits after five years whenever at that time no one was getting it after five years. So I guess I have a little problem with that, and I just wanted to stand up. I'm not sure yet, Senator, how I'm going to vote on this bill, but I just wanted to -- to bring that to the attention of the Body.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. And I just rise in support of House Bill 1296, as amended, and would point out to everyone that, first of all, on the university employees, that this is a -- a protected benefit after January the 1st, and we need to do this now for the university employees. To the matter of the State employees and the Pension Laws Commission, let me point out, you know, technically there was no amendment to this matter by the Pension Laws Commission or to the Pension Laws Commission. The Pension Laws Commission did approve the State employees' similar language. This is not incorporated in this bill. Senator Luechtefeld, to my

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

knowledge, was not asked, or anyone could have brought that matter forward to us -- for consideration. It is not before us. The university employees are before us. I would also point out that this annuitant language that we need to -- that has been approved by this Body is part of this language, and it's very important to the Teachers Retirement System. So I don't think that we should try to defeat one group of employees because we -- there may be some attempt on someone's part or perceived attempt by some Members that we're trying to exclude someone on this bill. It's just not part of this bill, and all that's before us are the university employees. And we do need to act on this positively, and I would ask for a favorable consideration of House Bill 1296.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I rise in support of House Bill 1296, as amended. I'd like to clarify a couple of different points that have been addressed tonight. I was approached by members of the University Retirement System from Northern Illinois University about this bill and the need for it. My understanding, at the time that -- that they approached me, is that this would impact only about a hundred to a hundred and ten employees on the campus of Northern Illinois University. I'm not sure where the thirty-five thousand number comes from, but certainly that is the impact that they told me this bill had. To the matter of the fairness or the fact that something's been promised, far be it for me to suggest that any of us in this Chamber would -- would stay here twenty years just to be able to -- be able to get our complete benefit package that's allowed under the retirement system that we have, but I would suggest that if that were to be cut in half in the next years without any kind of grandfathering in of the Members of this Chamber, that that bill would have a

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

tough way to go. So I think, out of a sense of fairness, that's why I support this particular piece of legislation.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Luechtefeld, do you wish to close, sir?

SENATOR LUECHTEFELD:

Again, I -- I think we've discussed it enough. I think it's something that, you know, this -- this Body did promise to these people, and again out of fairness, I would ask for a -- a positive vote.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1296 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record, Mr. Secretary. On that question, there are 28 Ayes, 10 Nays, 16 Members voting Present. House Bill 1296, having not received the required three-fifths majority, is declared failed. There has been a sponsor change from what is listed in the -- today's Calendar. Senator Peterson is now the sponsor of -- of House Bill 1817. Senator Peterson, do you wish this bill -- recalled to the Order of 2nd Reading for the purpose of an amendment? Senator Peterson seeks leave of the Body to return House Bill 1817 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1817. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President, Members of the Senate. House Bill

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

1817, with Amendment 1, has numerous portions in it, mainly cleanup. The first item would delete, as of 1997, sunset as to exclusive {sic} of dividends in the apportionment formula in determining corporate income tax liability. This is requested by the Taxpayers' Federation and supported by the Illinois Department of Revenue. It cleans up Public Act 90-491, which becomes effective 1/1/98. There's some technical changes. It cleans up House Bill 980 -- that was 856, now 981, which was Public Act 90-374. Amends the County Special {sic} (Special County) Retailers' Occupation Tax for Public Safety to incorporate necessary references to the Retailer Occupation (Tax) Act. House Bill 468, Public Act 90-357, allowed municipalities to either reduce the rates or exempt entirely senior citizens from their local -- telecommunications tax. However, the telecommunications companies are now concerned with tracking eligible customers and the actual implementation of the reduction/exemption. This amendment changes the exemption/reduction to a rebate program to be administered by the municipality. Next item is from the CTA. Amends the Property Tax Code to clarify the tax-exempt status of property owned by certain public transportation systems used for leaseback arrangements. Next item creates the Electric Utility Property Tax {sic} Assessment Task Force. This task force will advise the General Assembly with respect to possible impact of the Electric Service Customer Choice and Retail {sic} (Rate) Relief Law of 1997 on the assessment of electric generating stations for property tax purposes. An item from the Cook County Assessor regarding certificate of error. Items from the Department of -- of Revenue. Various technicality changes. And I ask for your support of the amendment, as presented.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson has moved the adoption of Floor Amendment No. 1 to House Bill 1817. Is there any discussion? Is there any

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

discussion? Seeing none, all those -- all those in favor, signify by saying Aye. Opposed, same sign. Motion carries, and the amendment is adopted. Are there any further Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. On the Order of House Bills 3rd Reading is House Bill 1817. Mr. Secretary, please read the bill.

SECRETARY HARRY:

House Bill 1817.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Peterson.

SENATOR PETERSON:

Thank you. As I mentioned before, Mr. President, Members of the Senate, the amendment becomes the bill. I ask for an affirmative vote on House Bill 1817, as amended.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1817 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Secretary. On that question, there are 59 Ayes, no Nays, no Members voting Present. House Bill 1817, having received the required three-fifths majority, is declared passed. Ladies and Gentlemen, on your desks is Supplemental Calendar No. 3. Conference Committee Reports. Madam Secretary, do you have on file a Conference Committee Report on House Bill 229?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on House Bill 229.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Conference Committee Report on House Bill 229 simply stated that in-district allowance increase is an increase of ten thousand dollars. That moves us from forty-seven thousand to fifty-seven thousand. The last time we've had an increase was 1989. That's eight years ago. Be happy to ask -- answer any questions. If not, I'd like to see a lot of green lights up there.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 229. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have -- have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 40 Ayes, 14 Nays, no Members voting Present. The Senate does adopt the Conference Committee Report on House Bill 229, and the bill, having received the required constitutional majority, is declared passed. Supplemental Calendar No. 3 is Senate Bill 493. Senator Weaver. Mr. Secretary, do -- Madam Secretary, do you have on file a Conference Committee Report on Senate Bill 493?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 493.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President and Members of the Senate. 493, Conference Committee Report No. 1, would permit riverboats to conduct unrestricted dockside gambling if the docking municipality or county permits an advisory referendum to the voters of the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

municipality or county asking whether dockside gambling shall be permitted in said municipality or county and a majority of the voters in the election vote in favor of authorizing dockside gambling. Also, the Gaming Board is permitted to make rules authorizing continuous ingress and egress of -- on dockside. In permitting dockside gambling, the four-hour cruise limitation is repealed. Permits the Gaming Board to promulgate rules to govern dockside gambling. As to riverboat relocation, it permits the Gaming Board to approve a relocation of a riverboat to another docking municipality or county. In deciding whether to approve the relocation, the Board must consider the same criteria used when granting the initial license. In addition, the county -- the village or the county board of the proposed docking municipality must approve said proposed docking by a majority vote. Current geographic restrictions, with the exception of Cook County prohibition, are repealed. It also permits the Gaming Board to promulgate rules governing relocation applications and approval procedures. It would provide that riverboat license renewals on -- on or after June the 1st, 1998, shall be for a four-year period, unless the Gaming Board sets a shorter period. There are provisions that riverboat license renewals on or after -- excuse me. The admission tax is unchanged, except that passengers are taxed for admission, rather than excursions. It also stipulates that the Liquor Control Commission shall continue to regulate liquor sales. Be happy to try to answer any questions. We've dealt with this issue for many months, and this is a scaled-down version that we hope will make our riverboats able to compete with surrounding states across the Mississippi and across into Indiana and also Wisconsin. We're going to be depending on the graduated riverboat tax for more money for -- dedicated basically to the General Fund, but hopefully going to education, and we've funded our education program based on that graduated tax. So if there

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

are any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, please, if you're going to speak to one of the Members, please walk over to their chair and speak to them quietly. Please don't speak forty-five or fifty feet apart, please. Let's hold the noise down if we can. It's getting late. Lot of work to do. Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the -- Senate. I stand in strong support of Senate Bill 493, and I think -- I'm not going to go into a long winded -- I think we all know what this bill's about. We've had it around for a long time. We finally got it to the Floor. But I do want to point out one thing 'cause there are those who have a concern that maybe this is considered an expansion. Let me just point out one fact: The loss per patron in Iowa, the overextend average, is thirty-seven dollars per person, which means that if they go on with a hundred bucks in their pocket, they'll spend a hundred and thirty-seven 'cause they can get off. On the Illinois boats, in the Quad City area, that overextend is eighty -- eighty -- eighty dollars per patron because they can't get off. So this bill actually, in my estimation, is good for that person -- for those that are concerned that it's an expansion of gaming. I think this is anything but. I'm not going to get into the safety factors. I'm not going to get into the hull inspections. I'm not going to get into any of that. But I think it's a good bill, and I ask for your favorable support.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. Some of the provisions of this legislation I could support. I've not been one who supports

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

dockside. But, problem I have with this is the horse-racing industry. If there's been devastation to an industry in this State, it's horse racing and the reason is, primarily, is because of riverboats. Probably when the bill originally passed allowing riverboats, horse racing should have been at the table; they weren't. And as a result, a lot of the people who used to go to horse races are now at the riverboats, and it's really had a negative effect. If we do something positive for riverboats, I think we ought to give some consideration to the horse-racing industry, and that's -- hopefully when we see this in the future, if it fails, it will include some provisions that will be beneficial to horse racing, which is major in my area, as far as employment. Obviously Fairmount Race Track is -- is near my district. But many people breed and raise horses, and employment and economic benefits obviously come from that. So I'm going to encourage all of you to vote No.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

...very much, Mr. President, Ladies and Gentlemen of the Senate. Let me simply suggest that I'm rising in favor of dockside and I do it for probably some different reasons than some of the other Members in here. As you well know, I had a bill that would have removed the ATMs and the check-cashing machines off of the riverboats and barred them from the premises of -- of the riverboats, to afford the people the opportunity, frankly, to get off the boat after they've taken on the boat which they felt that they -- thought reasonable that, I guess, that they could lose and so that they would have an opportunity to get off the boat and then have to walk across the street or at least have a second opportunity to decide whether or not they wanted to go back and gamble some more. Unfortunately, that's not part of this

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

legislation, although I support dockside because I strongly believe that if a person is on land, rather than cruising down -- up and down the river, this will afford them the opportunity to get off. And I've had some constituents in my district who have had some pretty devastating events with gambling on the riverboats. The husband and/or the wife really doesn't know what the other spouse -- the losses have been with respect to gambling. And sometimes the issue has not been the fact that they've gambled so much; the fact is that they stay on the boat, they have check-cashing and ATM access, and they keep gambling and they keep losing. Although, again, that's not in this, I do think that dockside, I think, will afford those individuals an opportunity to get off when they've lost too much and that is the only reason that I'm rising in support of -- of the issue tonight and, frankly, that's -- that's it.

PRESIDING OFFICER: (SENATOR MAITLAND)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President, Ladies and Gentlemen of the Senate. As you know, I've opposed the expansion of gambling in the State of Illinois since I've been in the General Assembly. Didn't vote for riverboat gambling in '89 in the House and haven't supported it here and, in fact, have called for a statewide advisory referendum from the people of the State of Illinois. We haven't been able to give the people of the State an -- I don't think the people of the State of Illinois are asking for this. I don't think this is an expansion of gambling that the people of the State of Illinois want. And make no mistake about this: This is an expansion of gambling in the State of Illinois. Secondly, and mark this down, this is the end of riverboat casino gambling in Illinois. This is the end. If this passes, this is the end of riverboat casino gambling in Illinois and the beginning - the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

beginning - of land-based casino gambling. When you have a non-self-propelled, permanently moored barge, that's not a riverboat. That's not a riverboat. This is the end of riverboat gambling in Illinois and the beginning of land-based casino gambling. And then how do you say no to a gambling casino operation that wants to come to your community and open up in your town when we're going to allow permanently moored barges that don't have to cruise? Now, if you want to talk about adjusting the access to the boats - ingress and egress - if you want to relax some of that, to be a little more competitive with the -- with the boats in Iowa or Indiana or wherever, if you want to adjust that or relax some of the cruising requirements so maybe the boats cruise only once a day, but let's keep them as riverboats. That's how you sold this bill to the General Assembly in '89: as an enhancement to tourism in economically depressed communities and that we were going to have cruising riverboats in this State. As I said, this is an expansion of gambling. It's the end of riverboat gambling in Illinois, and it is the beginning of land-based casino gambling.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there further discussion? Senator Weaver, you wish to close?

SENATOR WEAVER:

Thank you, Mr. President. I think we've all discussed this concept for many committee meetings, on the Floor. Let me say to Senator Watson that, in the Second Conference Committee of 606, we are addressing horse racing, and I think most everyone is together on that. So that will be addressed in another bill. We didn't feel it proper to link the two. Let each -- let each bill or conference committee report stand on its own merit. So, there are feelings on both sides of the issue. We're trying to -- if we're going to have gambling in Illinois, we ought to be

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

competitive, and I would appreciate a favorable vote on this Conference Committee Report.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 493. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 32 Ayes, 25 Nays, no Members voting Present. The Senate does adopt the First Conference Committee Report on House Bill 493, and the bill, having received the required constitutional majority, is declared passed. Senator Rauschenberger, for what purpose do you arise, sir?

SENATOR RAUSCHENBERGER:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your announcement.

SENATOR RAUSCHENBERGER:

I'd just like to remind the Members of the Senate Appropriation Committee that immediately upon recess, we're going to go to Room 212 and we're going to hear Senate Amendment 2 to House Bill 398, which is the main supplemental. We're also going to hear Senate Amendment No. 2 to House Bill 868, which is the COLA -- the community provider COLA supplemental, as well as we're going to discuss the subject matter of the Conference Committee Report to House Bill 108, which is the bond authorization necessary to -- to do the balance of the general -- the GO -- General Obligation Bond program that we didn't pass in May. So I -- if the Members would be as prompt as they could be and anyone else who's bored might come down and watch.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Madigan, for what purpose do you arise, sir?

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SENATOR MADIGAN:

Thank you, Mr. President. Purpose of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your announcement.

SENATOR MADIGAN:

Previously we had announced that the Insurance and Pensions Committee would meet at 7 p.m. in Room 400. That is being moved to 7:15 in Room 400.

PRESIDING OFFICER: (SENATOR MAITLAND)

Thank you, Senator Madigan. Any further announcements? If not, the Senate will stand in recess to the call of the Chair.

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DUDYCZ)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Approved for Consideration - Conference Committee Report 1 to Senate Bill 320, Conference Committee Report 1 to House Bill 108, and Senate Amendment 3 to House Bill 452.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Will the Members that are in their offices please return to the Floor? We will be going to the regular order of business shortly. We will be bringing your attention to the regular Calendar and going through some business on the regular Calendar. So if anyone in their offices is within the sound of my voice,

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

please return to the Senate Floor. House Bills 3rd Reading.
Committee Reports.

SECRETARY HARRY:

Senator Rauschenberger, Chair of the Committee on Appropriations, reports Senate Amendment 2 to House Bill 398 Be Adopted and Senate Amendment 2 to House Bill 868 Be Adopted.

And Senator Madigan, Chair of the Committee on Insurance and Pensions, reports Senate Bill 3, the First Conference Committee Report Be Approved for Consideration.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Link, what purpose do you rise?

SENATOR LINK:

Mr. President, inadvertently with the excitement of the evening, I voted Yes on Senate Bill -- or, House Bill 229. I'd like to switch that to a No vote. Would the record reflect that?

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will reflect that would have been your intent, Senator Link.

SENATOR LINK:

Thank...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Obama, what purpose do you rise?

SENATOR OBAMA:

Thank you, Mr. President. I had the same problem on Senate Bill 493. I'd like to be recorded as a No vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will reflect your intent. ...Secretary, Resolutions.

SECRETARY HARRY:

Senate Joint Resolution 45, offered by Senator Weaver.

(Secretary reads SJR No. 45)

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Senator Weaver moves to suspend the rules for the purpose of the immediate consideration and adoption of Senate Joint Resolution 45. Those in favor will say Aye. Opposed, Nay. The Ayes have it. The rules are suspended. Now Senator Weaver has moved for the adoption of Senate Joint Resolution 45. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. With leave of the Body, we will be now -- we will now be going to the Motions in Writing to Override Total Vetoes, the middle of page 9. We will begin with House Bill 968. Senator Parker. House Bill 968. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move that House Bill 968 do pass, the veto of the Governor to the contrary notwithstanding.

The motion filed by Senator Parker.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As a lot of my colleagues probably here will remember, we used to replate our cars with new license plates every year until 1979. That's when we went to multiyear plating. Our next year replating was in 1984. In 1993, the Secretary of State, George Ryan...

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

In 1993, the present Secretary of State, George Ryan, convened a task force to look at the license replating issue. In 1995, the Secretary of State's report recommended that Illinois pursue a replating program as soon as practicable. Twenty people were on that commission, including the -- present Secretary of Transportation and the present Secretary of the Department of Transportation. House Bill 968 says that beginning by -- 31st,

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

1999, two years from now, the Secretary will start to reissue license plates. I want my colleagues to understand that this will be the first time in fifteen years and only the second time in the last twenty years we will be authorizing license plates. When replating is not done on a regular basis, there is a natural sticker avoidance from those people who cheat and do not purchase that sticker. This is a fact. Studies have been done by the Council of State Governments and Council of Governors' Policy Advisors confirming that an estimated five percent avoidance factor is an average nationwide. That's twenty-one million dollars a year avoided in this State. In addition, the law enforcement and public safety need for new plates - fully reflective plates - is an urgent and obvious and uncontested need, and the Illinois law enforcement community, as well as such groups as Mothers Against Drunk Driving, Crimestoppers and the National Safety Council, rightfully recognize that plates which begin to lose reflectivity after five years must be replaced now. This is a need. I respectfully will answer all of your questions and request an override of the Governor's veto.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker has moved that House Bill 968 Do Pass, the veto of the Governor to the contrary notwithstanding. Any discussion?
Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the -- of the Senate. Would the sponsor yield for a few questions?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates she will yield. Senator Jacobs.

SENATOR JACOBS:

Senator, I think you touched on it a little bit, but what is the experience of other states who have reissued plates?

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Senator Parker.

SENATOR PARKER:

The experience of other states, as I've said, was the Council of State Governments has had studies and the nationwide avoidance rate is an average of five percent. Virginia has had an increase of seven percent when they've reissued. Iowa has, in the last six months, had ten million dollars more money come about because they have been relicensing and they have a new registration that's come into their system. So -- West Virginia also has a seven-percent increase. These are quotes -- and besides the fact, in the task force study that the -- that Secretary of State George Ryan did, they said that there was five percent that they could expect during the time that they repleated, 1984 and 1986, what they -- which they showed.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Yes. Thank you, Senator, and I -- I think you touched on a few of them earlier, but who are the major supporters of -- of this piece of legislation?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

The major supporters of this legislation are the Illinois Chiefs' Association, the Sheriffs' Association, National Safety Council, Illinois Association of Chiefs of Police, the Secretary of State, Mothers Against Drunk Driving, Chemical Industry, Macon Resources, International Association of Chiefs of Police, Crimestoppers, the Illinois Association of Rehab Facilities, National Sheriffs' Association, Illinois Automobile Dealers Association. There is wide support because of the growing need, particularly with the police, for the safety. They need legible

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

plates, and they are having a problem with that.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you. I think you indicated a little bit earlier, but just to go through it again, that -- is this bill revenue positive and -- and has the money been appropriated for the replating?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker.

SENATOR PARKER:

Everybody needs to understand very clearly: The first-year cost for this program is nine million dollars, which has already been appropriated by the General Assembly and signed by the Governor. This is not only revenue-neutral; it will bring money back in to the State of Illinois from those people who have been avoiding and cheating on their -- not purchasing their license plates and those stickers that are so easy to not detect. We have nine million vehicles in this State. Five percent - just an average of five percent - is an addition twenty-one million dollars a year in revenue that we've been losing, and we can gain that back when we replate.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Jacobs.

SENATOR JACOBS:

Thank you, Senator, for the response to those questions. To the bill: I stand in strong support of House Bill 968 for a number of reasons, many of which the Senator -- Senator has already stated. But let me address one of the issues that I really find almost comical, and -- and that is the one largest opponent to this, of course, is the Department of Transportation. They claim that we're going to be taking money out of the Motor Fuel Tax Fund. Well, I'm here to tell you that at all times - at all

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

times - there are hundreds of millions, not thirty-six, but hundreds of millions of dollars in flux at all time. They will not miss this thirty-six million dollars, and I think that the Senator has so eloquently said that that money can be recaptured, number one, and, number two, it is not going to truly affect any of our roads in this State. And I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This is a curious argument that's being used to say we're going to recapture all this money by suddenly replating, because what it does, it's a condemnation of the Illinois State Police for not doing their job. I, frankly, do not believe five percent of the cars on the road are not properly stickered. That is just a phenomenal number. And let's look at the record in Illinois, not this statewide study that -- that some group that sends us a magazine each month has. In 1984 when we did the first restickering through '86, what happened? Well, what happened was, an audit of the Secretary of State's audited records, from 1984 to 1986, shows the increased registrations do not occur at a rate which recaptures the money needed to replenish the Road Fund. So this capturing money, I think, is baloney. You know, to say that the State Police aren't doing their job, I think is a -- is a slap in the face to Director Gainer and all of the great troopers we have on the roads. Secondly, to say that the only opponent to this is the Department itself isn't quite correct. Every one of us here have been approached -- every one of us here has been approached by the General Contractors of Illinois who want us to vote for a gasoline tax bill. There is no gasoline tax bill that I've seen. I don't think there's going to be one. The Consulting Engineers Council, the Illinois Association of Aggregate Producers, the Illinois Association of

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

County Engineers, Illinois Citizens for Better Highways, Illinois Concrete Pavement Association, Illinois Road Builders Association, Illinois Society for Professional Engineers are all against diverting seven million dollars a year from building roads and bridges. Now, many times this year we've had bills that try to fix roads because we need better -- better intersections, they're not finished. We've got supplemental that has several road projects in it because the roads are in bad condition. And what are we doing? We're taking seven million dollars a year out of the Road Fund. Right now, look at the backlog of roads. Twenty-eight thousand miles of backlog roadway that's need to be fixed or built, increasing to forty-three hundred miles in the five years of this replating. One thousand bridges in Illinois need work. And we're going to take money out of the Road Fund? I think that -- that we should think this a little bit harder and use the money for what is necessary to improve our badly fixed -- poorly fixed roads and bridges. And let me just say that -- got tied up there on that one. Let me just say that that money should stay in the Road Fund. Let's build the roads. Let's have some faith in our troopers like I do and vote No.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senator, I've made a couple of -- a couple of suggestions to the Secretary of State's Office and they really haven't been responded to. And I'd like to bring it up here because I think that maybe -- maybe they'll be paying attention. If this is the first time in fifteen years that we will be replating, then I think there are a few things that ought to be done. Given the proliferation of special plates - and it seems like every year we come up with a new one - I think it's going to be very important, if we're going to respond to the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

concerns of law enforcement that says that they need to be able to read that plate, then we can really help law enforcement by moving away from those small numbers on those special plates that are being issued these days. You know, you can't see that plate unless you get right in front of it. So what good is having the reflective numbers or letters if you can't see them anyway? I would recommend that if we're going to replate, that we standardize the size of the numbers and the letters so that on all plates, regardless of what color they are or what design, the numbers are standardized, the same size, consistent. I would hope that the State's -- that the -- the Secretary of State's Office would take that into consideration because certainly the company that makes the plates and those that make the plates think that that's a good idea and they're ready to do that. The other thing is, you know that in some parts we have a problem with the stealing of the renewal stickers. I suggested a long time ago that we look at the sticker design so that maybe if they're peeled off the plate, they're damaged and cannot be reused. Again, what people are doing back home is they take a razor blade and they slash the sticker in order to protect themselves because I think there's a five-dollar renewal fee if you have to go in for a new sticker. So those are two areas that I think need to be looked at, and it wouldn't be that difficult for the Secretary of State's Office to come up with some solutions that'll make this replating a worthwhile effort for everyone.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I, too, rise in opposition, and one of the previous speakers mentioned that this wasn't going to impact the current road program, but just for your information, this week, and it may have been just even as -- as long ago as

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

yesterday, Congress passed the "Stopgap" budget process and only six months' funding was put in for the Department of Transportation. And as a result of that, DOT is going to have to defer more than two hundred and fifty million dollars' worth of highway construction programs until the future. So there is an immediate impact, obviously, by what Congress has done and this legislation, unfortunately, takes more money out of the Road Fund and I think it ought to be put into -- to roads and maintenance of our highways. So I -- I concur with previous speakers and ask for your support of the Governor's veto.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. Senator del Valle, I think you had some excellent suggestions and I would hope that any current or future Secretary of State would consider them. To the bill: I -- I stand strongly in support of Senator Parker's motion on House Bill 968, and bluntly, while I agree with the law enforcement authorities that we need to do this, I will admit that in Decatur at Macon Resources, I have a very personal reason for believing that this legislation is commendable and it should be passed and the override should take place. At Macon Resources we have countless young physically and mentally challenged adults who for many years have had the opportunity to make plates in Illinois. They have just signed a four-year contract, and if you've had the opportunity to read some of the letters and -- and hear some of the concerns that have been expressed, I know that many of those young adults and physically and mentally challenged adults are hoping that they have the opportunity in this next four-year period to take on this challenge. I think it's something that has benefitted countless individuals, countless families, in addition to the fact that it

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

needs to be done. I hope that we'll override the veto and move forward with this. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. I rise in strong opposition to this override motion. You know, some years ago we borrowed, I think, thirty-six million dollars from the Road Fund, I think some twenty years ago, and we're just now repaying that. With the condition of our roads and all, I think this is no time to be taking funds out of -- out of the Road Fund. If you want a new set of license plates - I just bought a set - you can get them replaced for eleven dollars and they'll put your sticker on there also. I had a set of plates and wanted some shinier ones, so I sent eleven dollars in to the Secretary of State, got a new set of plates. So, you know, it -- and to try to say that the license plate is going to have something to do with that little one-inch sticker down there that's four inches long, I think, you know, that's -- that's going almost too far. But with the condition of our Road Fund and as long as it took us to -- to pay back the thirty-six million dollars we borrowed, I think this would be the wrong time to do that, and I urge opposition to this override.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. There were a few of us here in the Assembly, including, as I remember, Senator Jacobs, who did serve on a task force that met for over a year with not only legislative people but also with the experts in the field and the State Police and the -- the Chiefs of Police, and they were all almost begging us to do something because, frankly, the reflective material on

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

most of our license plates is now gone and it makes it almost impossible for them, particularly at night when they are trying to track down a criminal or a -- a speeder, to -- to be able to read that plate. It is true that -- that several of the states that have done this in the past have indeed, much to my amazement and I think everybody's on the committee's amazement, that -- that it did pay for itself. In fact, it more than paid for itself. I will admit when I was first told that, it just seemed to me that was almost an impossibility, and yet state after state after state found that to be true. So this is not really going to cost the State money in the long run. Now, I believe the bill calls that we are not going to do it all in -- in the same year. We are going to phase some of these license in. I know -- I have talked to the -- both the Secretary of State and -- and I just happen to know his chief of staff and they are looking at plates that will be more uniformed, because I know the Secretary does recognize the fact that we have way too many plates out there. There is a way of doing it. He has looked at plates that other states have done, and I think he is headed in that direction, if indeed we do this. I think this is a good bill. It is way overdue. Those plates were supposed to last, believe it or not, maximum five years. This is three times five. It is well overdue, long overdue, and I think we ought to all be green.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Bowles.

SENATOR BOWLES:

Thank you, Mr. President. I, too, rise in support of the override of the Governor's veto. The experience that has been -- a recuperative experience that has been the past experience of states that have done this has been outstanding, and I know and I feel sincere that we will be able to return to the Road Fund the money that we will have borrowed from it in a much shorter time

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

than had initially been anticipated. I agree that there need to be some design changes made. I think we've discussed those at length. At the risk of being redundant, and in respect to those who have spoken in opposition, I stand firmly in favor of the override and would ask you to please vote for the replating. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Further discussion? Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. I rise in opposition to this legislation, and I -- I don't want to rehash the -- the figures that Senator Welch gave, but I would like to keep track of all those names of everyone who talked about how bad our roads are. As we work on legislation next spring, I'm going to ask each one of you to cosponsor that legislation as we do the right thing to put the money into the Road Fund. So, thank you for those who've supported that. I think it's very difficult for us to go back and tell our constituents who are complaining about our roads, complaining about the potholes, complaining about the bridges, that we have made a conscious decision not to fix those but to put that money into giving everyone new license plates. Our job down here is to -- to -- to list priorities and spend priorities, and certainly the priority here is fixing the roads. And I would urge everyone to please not to support this override.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Parker, to close.

SENATOR PARKER:

Thank you, Mr. President. Thank you very much to all of you who rose in support of this very important legislation. Thank you to Senator Fawell who served on the task force, who understands that indeed between 1984 and 1985 and '86, they had recovered the cost of that one initial replating, the only one that we will

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

have -- in 1999 -- the first one we've had actually in the last eighteen years. Senator Welch, the numbers do prove themselves. If you count up the county numbers, that they actually did get the monies back between 1984 and 1986 that they are talking about. It makes no sense to think that there is no avoidance in the State of Illinois. We are very concerned about the police. Seventy percent of major crimes is committed with a vehicle and according to the police in a resolution, rapid identification of vehicle owner and drivers are imperative for officer safety in drug interdiction, driving under the influence, police pursuit and as evidence used in solving other criminal acts, and that's why they are in favor of this. There are also contractors -- road contractors, a large section of this State, in favor of this legislation, and I have the letter here because they recognize that there's been an avoidance, and it will actually bring money back into the Road Fund, between five and seven percent annually, which is twenty to thirty million dollars a year. Let's put this in perspective. We are talking about a nine-million-dollar appropriation the first year, a total cost of thirty-five million that will be coming back in here at the rate of twenty million dollars a year when you get the five-percent avoidance. The billion -- you have to remember that the Road Fund over three years is over three billion dollars. And, Senator Syverson, we are not making a conscious effort here not to fix potholes. What we are making an effort to do is to stop the cheaters, to bring the money back into the Road Fund that is not there because of the cheaters, and to give the police in this State the safety that they deserve. And I have to tell you: The police's safety should not be compromised for looking for an increase in gas tax or anything else. They need this, and it's dangerous for them now and our citizens on the roads. Senator del Valle, you have excellent suggestions and I'm sure the Secretary of State will listen to those. One more thing. Senator

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Watson, what you are talking about is the ISTEА. October 1st of 1997, was supposed to be the time when the ISTEА was not going to be funded anymore. Congress has funded the ISTEА for an additional six months. They actually have more money in now than they should have had if they hadn't funded the ISTEА, and the only reason why they didn't fund the ISTEА permanently is because they are trying to shake loose fourteen billion dollars sitting in a trust fund in Washington, D.C. And when they shake that money loose, actually there'll be more money coming into the Road Funds, and that's what they're trying to do. So there eventually will be more money. This is the right thing to do. It's been twenty years, if we pass this bill, and we only would have had two reissuances of license plates. The time is now for safety and the police. I ask you to override the Governor's veto.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 968 pass, the veto of the Governor to the contrary notwithstanding. All 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 31 Ayes, 23 Nays, 1 voting Present. And House Bill 968, having not received the required three-fifths vote, the motion fails. House Bill 1105. Senator Sieben. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move that House Bill 1105 do pass, the veto of the Governor to the contrary notwithstanding.

The motion filed by Senator Sieben.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill allows the Secretary of State to issue a recognition

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

plate for Silver Star winners who have received this from the Armed Forces. We currently do this for Bronze Star and Gold Star winners -- or, awardees in the State. The Governor's concern, obviously, was cost of this special plate. In checking with the Secretary of State's Office, all they have to do is change a little insignia on the plate where they currently recognize a Bronze Star winner or a Gold Star winner. Fifty-five of you -- this passed 55 to nothing in this Chamber. Same kind of -- in the House, the override in the House was with the same margin. I'd ask for your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben has moved that House Bill 1105 do pass, the veto of the Governor to the contrary notwithstanding. Any discussion? If not, the question is, shall House Bill 1105 pass, the veto of the Governor to the contrary notwithstanding. All 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 53 Ayes, 3 Nays, none voting Present. And House Bill 1105, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. House Bill 1210. Senator Dillard. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move that House Bill 1210 do pass, the veto of the Governor to the contrary notwithstanding.

Offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Very similar to Senator Sieben's bill, this -- bill this

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

deals with the Gold Star plate for those who were killed in action, and the Governor in his Veto Message, I'm not quite sure he understood. I think he believed we were creating a new plate. We are not creating a new plate by my bill. All we are saying is that if the parents of the serviceman or woman who died in action are both deceased, that the plate can pass to a sibling. And I guess just to close, I got a letter from the -- the person who I put this bill in -- Bob Bonshire from Lemont, Illinois, who wrote me, after the Governor vetoed this bill, that "it brought tears to my eyes knowing that I cannot show the honor to my twin brother who was killed in the Vietnam Conflict." And this is not creating a new plate. Again, it just allows the plate to be transferred to a sibling if both parents are killed or deceased, and I think it makes sense. And I'd appreciate an override.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard has moved that House Bill 1210 do pass, the veto of the Governor to the contrary notwithstanding. Any discussion? If not, the question is, shall House Bill 1210 pass, the veto of the Governor to the contrary notwithstanding. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 1210, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. House Bill 1347. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move that House Bill 1347 do pass, the veto of the Governor to the contrary notwithstanding.

Offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm requesting a vote to override the Governor's veto of House Bill 1337 -- or, 1347. What the original bill did was it provided for the continued health insurance coverage for full-time law enforcement officers and firefighters that are catastrophically injured in the line of duty. This Act further provides for educational benefits and continued health coverage for their dependents if they are killed in the line of duty. Under -- I'd like to say for the sake of the record what we mean by catastrophically injured. What it means is that it is our intent to define "catastrophically injured" as a police officer or firefighter who, due to injuries, has been forced to take a line-of-duty disability. That's what we mean, and I would simply request that you -- well, wait, there's one more other point that I think's really important. There is a possibility - a very real possibility - that we will lose federal funds to the tune of about seventeen million dollars a year if we don't pass this legislation or override the Governor, and I just make that request and ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue has moved that House Bill 1347 do pass, the veto of the Governor to the contrary notwithstanding. Any discussion? If not, the question is, shall House Bill 1347 pass, the veto of the Governor to the contrary notwithstanding. All 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 58 Ayes, 1 Nay, none voting Present. And House Bill 1347, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

notwithstanding. House Bill 1840. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

...move that House Bill 1840 do pass, the veto of the Governor to the contrary notwithstanding.

Offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1840 amends the Pull Tab and Jar Games Act. What it does is increase the prizes from two fifty to five hundred. Allows them to sell up to six thousand tickets, not four thousand. Allows them to increase the ticket price from one thousand -- from one dollar to two dollars, excuse me. This help the American Legion, the VFW, the Elks, the Moose, the KCs. As you know, since we've had the Lottery and since we've had riverboats, they've had a real problem in their -- in their fraternal organizations. These are the good guys. These are the guys out there at the parades. These are the guys that help people. I would certainly ask for your favorable consideration. Happy to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Philip has moved that House Bill 1840 do pass, the veto of the Governor to the contrary notwithstanding. Any discussion? If not, the question is, shall House Bill 1840 pass, the veto of the Governor to the contrary notwithstanding. All 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 43 Ayes, 13 Nays, none voting Present. And House Bill 1840, having received the required three-fifths vote,

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Farley, what purpose do you rise?

SENATOR FARLEY:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR FARLEY:

Yes. Earlier in the evening, I pushed the wrong button for a -- a bill, House Bill 229. I wanted to be recorded No on that particular bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Record will so reflect your intent, Senator Farley. Senator Bomke, what purpose do you rise?

SENATOR BOMKE:

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

PRESIDING OFFICER: (SENATOR DUDYCZ)

State your point.

SENATOR BOMKE:

On House Bill 1347 I pushed red. I meant to vote Aye on it. Would you correct it, please?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Record will reflect your intent, Senator Bomke. ...to the lateness of the hour, we will, with leave of the Body, skip over to House Bills 3rd Reading in the middle of page 2, and after which we will return to Motions in Writing to Override Total Veto. On the Order of House Bill 3rd Readings is House Bill 452. Chief sponsorship has been changed from Senator Radogno to Senator Watson. Senator Watson, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Watson seeks leave of the Body to return 452 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 452. Madam

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Watson.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. Just to save the time of the Body here, this is the very same package, education package, we voted on previously that received forty-three votes, and one vote that was recorded No has suggested that he didn't really mean to do it, so that makes it forty-four. We -- we all know what it's all about I don't know that I need to go into any detail. But if there is any questions or any further discussion, Mr. President, I would be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, you forgot to subtract the absentees, but that's all right. Senator, I know what we are doing here is that we're -- we're redoing the education package all over again because of the problem in the House when the House sponsor won't call the bill. But may I ask why -- what's wrong with the Speaker and -- and Daniels calling their bill -- a bill, a vehicle bill, over there and running it back over here? Are they afraid it won't pass, or why -- why are we doing this a second time?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Well, actually it's a matter of timing right now. I think we are about to complete our order of business and I just don't believe anybody or the Body here was wanting to stay around much

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

longer. If we can get a bill over there and put it in the posture by which that bill will be called, I think that's the responsible thing to do.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Demuzio.

SENATOR DEMUZIO:

Well, it's sort of unusual and a departure from the previous practices of the period of time that I have been here, that we have never sent the House the bill the second time when they have failed to call it the first time. In this particular instance, all they have to do is find their own vehicle, put their own guys on it, whatever coalition they've decided, and send it over here. So, I assume that it's the intention of this Body, then, that once this bill passes and the conclusion of our business, whatever other business we have left, and that is to vacate the premises and leave the issue in the purview of the House. Is that correct?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

I'm not sure what our Calendar of events for the rest of the evening and maybe tomorrow might be. Hopefully, we get out of here tonight. But I -- I have no idea, Senator, as to what time we'll be considering adjournment.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. On the Order of 3rd Reading is House Bill 452. Madam Secretary, read the bill.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

ACTING SECRETARY HAWKER:

House Bill 452.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Watson.

SENATOR WATSON:

Yes, thank you very much. This is the same bill, once again, that we debated before. It had forty-three Yes votes. Hopefully it'll have forty-four this time. An opportunity for us to -- to live up to a lot of the obligations many of us make in a campaign about putting education and kids first, and I would appreciate your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Demuzio.

SENATOR DEMUZIO:

Senator Berman's yielding his time to me he says. Everyone knows what the issue is in here and I would hope that those who were in the negative in the -- in the first roll call would also be negative on this one. And for all of those of you who have now reconsidered, we hope that you will join us. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall House Bill 452 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 43 Ayes, 15 Nays, none voting Present. House Bill 452, having received the required three-fifths majority, is declared passed. If you turn your attention back to the Order of Motions in Writing to Override Total Vetoes, on the top of page 9 is the order of -- House Bill 27. Senator Fawell. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

I move that House Bill 27 do pass, the veto of the Governor to the contrary notwithstanding.

Offered by Senator Fawell.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a bill that passed the Senate 49 to 2. It amends the Sales and Use Tax Acts to exempt aggregate manufacturing equipment. This equipment would have been exempt under the manufacturing portion of the bill if it had a -- if a quarry had a roof on it. They will not exempt the equipment that's used to -- the drills, the loaders, the haul trucks, excavating and reclaiming equipment, which was the intent, I believe, of the original bill. I will be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Obama.

SENATOR OBAMA:

Thank you, Mr. President. On Senate {sic} Bill 452, I was out in the hall when the vote came up and I didn't get back here in time. I would like to be recorded as a Yes vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The record will reflect your intent, Senator Obama. Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Thank you, Mr. President, Members of the Senate. I rise in support of this legislation. You know, we allow sales tax exemption on manufacturing equipment, mining equipment, oil field equipment, farming equipment, and this is a -- a small-dollar item compared to the others, and I think this is something that's well-deserved and I'd appreciate a favorable vote on this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Is there any further discussion? If not, the question is, shall House Bill 27 pass, the veto of the Governor to the contrary notwithstanding. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 4 Nays, none voting Present. And House Bill 27, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR WATSON)

...remain on page 9, at the top of the page. House Bill 154. Motions in Writing. Senator Parker. Out of the record. House Bill 221. Senator Dudycz. Madam Secretary, would you please read the motion?

ACTING SECRETARY HAWKER:

I move that House Bill 221 do pass, the veto of the Governor to the contrary notwithstanding.

Offered by Senator Dudycz.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz.

SENATOR DUDYCH:

Thank you, Mr. President. House Bill 221 amends the Vehicle Code, authorizing the Secretary of State to issue special license plates to the surviving spouse of a police officer or firefighter who has died in the line of duty. This affects -- last year, would have affected four people; the year before, it would have affected six; one the year before that. So this has a minimal effect, but it does -- is very important to the emergency service personnel of our State. The plates would be affixed only to cars and pick-up trucks, and an applicant would be charged a fifteen-dollar fee for the original issuance. In addition to the appropriate registration fee, an additional two-dollar fee for

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

each renewal period. It passed the House - the override - a 115 to 1. And it passed, I believe, unanimously last time -- or, overwhelming last time in the Senate, and I would seek your overwhelming support.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I rise in strong support of this legislation. It lets the men and women who protect our citizens in the State know that we care about them, and if they die in the line of duty, they should be honored. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Further discussion? If not, the question is, shall House Bill 221 pass, the veto of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting Present. House Bill 221, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. House Bill 282. Senator Sieben. Out of the record. House Bill 381. Senator Carroll. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

Pursuant to Senate Rule 9-3, I move that House Bill 381 do pass, the veto of the Governor to the contrary notwithstanding. Offered by Senator Carroll.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a bill that allows senior citizens in -- in counties

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

outside of Cook to file for their homestead exemption if they are incapacitated; they have up to ninety days to do so. It is voluntary on the part of the counties to allow this, but it lets those seniors who for some reason forget to be able to go in and do it. We passed it out of here originally 57 to nothing. The House vote was 114 to 1 {sic} (115 to 2). The House overrode by the same vote of 114 to 1, and I would ask we take like action.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I am going to support this bill, but I do not understand why the senior citizens within Cook County, and correct me if I'm wrong, do not get the same benefit. Maybe they do. I -- is it that they do already in Cook County? Then I support it for the rest of the State.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Carroll, do you wish to close and answer the question? If not, the question is, shall House Bill 381 pass, the veto of the Governor not -- to the contrary notwithstanding. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Take the record. On that question, there 59 voting Yes, no voting No, no voting Present. House Bill 381, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. House Bill 496. Senator Myers. Out of the record. House Bill 522. Senator Sieben. Would you please read the motion, Madam Secretary?

ACTING SECRETARY HAWKER:

I move that House Bill 522 do pass, the veto of the Governor to the contrary notwithstanding.

Offered by Senator Sieben.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President. House Bill 522 was introduced to curb home medical equipment fraud and abuse and protect our consumers and payers. It passed the Senate on a 59 to nothing vote. It's been strongly overridden in the House. The Governor's Veto Message addressed the issue -- his concern was over start-up costs. So we checked with the Department of Professional Regulations and had them run the numbers for us. The application process will actually generate forty-six thousand eight hundred dollars in start-up money and their estimate of the start-up cost would be about eighteen thousand seven hundred and seventy-four dollars. So there's almost a thirty-thousand-dollar revenue positive on the start-up costs. And with that information, there's no objection to implementing this bill. So I'd ask for the override to be passed.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, the question is, shall House Bill 522 pass, the veto of the Governor to the contrary notwithstanding. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there 56 voting Yes, 2 voting No, no voting Present. House Bill 522, having received the -- the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. House Bill 968. Out of the record. House Bill 11. I beg your pardon. We have completed that order of business. We're now moving to the Order of Recall. On page 2, House Bills 3rd Reading. House Bill 398. Madam Secretary, would you -- I beg your pardon. Senator Rauschenberger seeks leave of the Body to return House Bill 398 to the Order of

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

the 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 398. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Floor Amendment No. 2 to House Bill 398 contains the supplemental appropriation bill that's agreed to by the four caucuses. I'd appreciate its adoption. I'll be happy to answer questions on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. ...go right to that order of business. We are on 3rd Reading. Middle of page 2. House Bill 398. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill -- Bill 398.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

This bill now contains the supplemental appropriation bill for the Veto Session. It includes a hundred and twenty-two million dollars of General Revenue, hundred and sixty-five -- hundred and sixty-five million dollars' worth of spending authority from other funds, and it includes the capital program for the balance of the General Obligation Bonds requested by the Governor that we did not address in May of last year, as well as the -- the Bond -- no, I'm sorry. That -- that bond authorization will be the next bill. This includes all of the GRF funding necessary to implement the education bill that we have now passed twice over to the House. I'd be happy to answer questions on the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much. There -- is no questions on the bill. This a pretty clear-cut bill. It's the language that we had in the spring that we carried over here. It's a great bill. It's a well-thought-out bill, and I would like to see its passage.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? If not, the question is, shall House Bill 398 pass. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. The bill, having received the required three-fifths majority vote, is declared passed. Still on page 2. And Senator Rauschenberger wishes the bill to return to 2nd Reading for the purpose of an amendment. And he seeks leave of the Body to return House Bill 868. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 868. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Amendment No. 2, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment includes the second supplemental that is not agreed to by the Governor's Office. I'd appreciate adopting the amendment. I'll answer questions on 3rd Reading.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. ...intention of the Chair to go to 3rd Reading. House Bill 868. Madam Secretary, would you please read the bill?

ACTING SECRETARY HAWKER:

House Bill 868.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In an effort not to be overly provocative to either the other Chamber or the Governor's Office, we've structured the appropriation process this Veto Session in an agreed portion, which we've just passed, and now this is a -- a part of the supplemental that I think many of us would like to support and -- and would urge our colleagues in the House to look at. This supplemental appropriation includes a three-percent COLA for the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

community providers of the State of Illinois for all of our State agencies. For January through June 30th, a six months' COLA, the total cost of the -- of the COLA is thirty-four million nine hundred and sixty thousand dollars. The GRF portion of that is twenty-nine million seven hundred and eighty-eight thousand dollars. In addition, this bill contains two hundred and sixty-two thousand dollars of GRF for the Department of Employment Security for the Veterans' Leadership Program that the caucus leaders were all support of -- supportive of. So I'd appreciate favorable consideration of this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Any discussion? Senator Halvorson.

SENATOR HALVORSON:

Thank you, Mr. President, Members of the Senate. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Halvorson.

SENATOR HALVORSON:

I just have one question. There were a number of supplemental bills put in and I know I had one for 11.8 million dollars to fund the hold harmless and the adequacy grants in my -- in the State at a hundred percent instead of what they were prorated. Is that in there?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Halvorson, the -- the concerns you raised were addressed in the first appropriation bill, where we fully funded the hold harmless as well as the poverty grants and the other substantive things necessary to -- to -- with the bill we've already passed.

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Senator Demuzio.

SENATOR DEMUZIO:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Question of the sponsor. Sponsor indicates he'll yield.

SENATOR DEMUZIO:

Senator Rauschenberger, is there a continuing appropriation in this bill for COLAs for next year and for the next four years?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Demuzio, I think Senator Walsh and I are working on language to that extent. We think that if we do enough of those we won't have to meet as much next year. But, so far, we -- we've been unable to -- to develop caucus-wide support.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

I just pray every night that there isn't a recession, believe me. Thank God. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Thank you very much, Mr. President. This is certainly a -- a long-awaited piece of legislation. But there were other entities also that were looking for some kind of redressing during this Veto Session, and if -- if the Senator would at least answer one question.

PRESIDING OFFICER: (SENATOR WATSON)

Senator indicates he'll yield, Senator Trotter.

SENATOR TROTTER:

We've only looked at the service providers within our

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

districts that needed three percent, but we did exclude other service providers. Those in particular, though, are the Medicaid service providers. Can you let us know why that was done?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Yes. Senator Trotter, I'll do my best to explain. We've -- the -- the supplemental increase of three-percent COLA in this case applies to the service providers who received a three-percent cost of living adjustment eighteen months ago. If you -- if the Members might recall, the long-term care industry and the long-term DD institution providers -- institutional providers received a 6.8-percent rate adjustment last January. So, we're seeking to find equity there. The reason that -- that a choice was made not to include the hospital Medicaid providers is we are awaiting a report from a group of providers in the hospital industry headed by Winkle Lee from -- former president of Mercy Hospital in Chicago, and we're hoping to do rate adjustment for the hospitals. As you well know, and I would agree with you, we need to do something about hospital rates; they've been under a four- or five-year freeze. So we think that as we come back in January, we can deal better with the hospitals by making a rate correction. And we chose to keep this supplemental as small as possible so we weren't too provocative to either the Governor or to the House Chamber, because we've had no clear indication of support from either of them. Hopefully, tonight we can get that turned around over in the House.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Trotter.

SENATOR TROTTER:

Yes. Also you said, sir, that the Governor has not signed on to this particular piece of legislation. Do we really think it's

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

going to go?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Trotter, it's -- I've had a hard time, in my first five years in the Legislature, ever kind of guessing where the Second Floor would be on most issues. But, I guess -- I my opinion would be that if we can persuade our colleagues in the House to move this out of their Chamber, that the Governor will -- might find it in his best interest and in the best interest of the State to go ahead and sign the bill, since we've already addressed education, we've acted responsibly and tried to support him in other endeavors. So I think if he really gets a demonstration of our enthusiasm, that we may well see action by the Governor.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Trotter.

SENATOR TROTTER:

This is certainly long-overdue piece of legislation. Based on the merits and based on what we have and then based on the conversation just gave, I encourage all of our Members to vote for it.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger, do you wish to close? Question is, shall House Bill 868 pass. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. House Bill 868, having received the required constitutional majority, three-fifths majority, is declared passed. ...are going to go to Supplemental Calendar No. 4. Should be distributed, and we'll do committee reports first, but be looking for Supplemental Calendar No. 4. Madam Secretary,

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measure has been assigned: Be Approved for Consideration - Conference Committee Report No. 1 to Senate Bill 56.

Offered by Senator Weaver, Chairman.

PRESIDING OFFICER: (SENATOR WATSON)

...on Supplemental Calendar No. 4, Conference Committee Reports. Madam Secretary, will you please read the report -- or, read the motion.

ACTING SECRETARY HAWKER:

First Conference Committee Report on House Bill 18.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. The First Conference Committee Report on House Bill 18 is an agreement by most of the unions at McCormick Place and the Metropolitan Pier and Exposition Authority, the MPEA. The legislation will improve, in their view, Chicago's convention and trade show industry. And let me just mention a number of the things that the legislation does. First of all, the agreement is granting the MPEA the authority to license all the show contractors. It also empowers the MPEA to review and audit all contracts between show contractors and show managers and between show managers and exhibitors. The MPA -- MPEA will be able to revoke contracts with show contractors who fail to perform satisfactorily, as well. It provides new bonds which will finance nearly one hundred million dollars in building projects at McCormick Place. Primarily, the money will be used for the construction of a new four-thousand-car parking garage and also --

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

dedicate a bus lane connecting McCormick Place with -- with Randolph Street. It protects existing collective bargaining units. This is legislation -- this is an agreement that was necessary about a year ago. Some twenty-five of the major groups who exhibited at McCormick Place came together as a unit and said, "Either get your act together or we're going to go to another city." Well, here's one legislator who, over the years has stood up and -- and been pretty supportive of everything we've done for McCormick Place. I believe it is a -- it is a great convention center in this nation, a great convention center in this world, and I've been willing to -- to be a part of that. I want that to continue. I think, as I understand it, at least, the negotiations were put forth in good faith and I would -- would seek support of the First Conference Committee Report on House Bill 18.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Dillard.

SENATOR DILLARD:

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

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Dillard.

SENATOR DILLARD:

Senator Maitland, I just want to make sure that this doesn't increase or change the amount or the boundaries for the food, beverage and soft drink tax that is a funding source for the Metropolitan Pier and Exposition Authority.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Senator Dillard, it does not expand those boundaries.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dillard.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SENATOR DILLARD:

What about the amounts? Do those remain unchanged, as well?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

The tax and rates remain unchanged, yes, sir.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. This bill now requires -- I beg your pardon -- increases the bond authorization of the Authority by one hundred million dollars. I would request a ruling of the Chair as to how many votes that this bill would take in order to -- to pass, since there's a bond authorization and since it's -- it's an increase.

PRESIDING OFFICER: (SENATOR WATSON)

Senator, I understand they're not General Obligation Bonds. Therefore, they are not backed by the State. And they're just in case the question comes up about an effective date, it contains no immediate effective date. And therefore, thirty votes will be required. Senator Demuzio.

SENATOR DEMUZIO:

Well, I was curious, because the House ruled it took an extraordinary majority in order to pass this legislation for the opposite reasons that -- that the Chair just stated. And I thought perhaps, for the record, that, perhaps, you might want to reconsider that ruling as we have further discussion on this bill.

PRESIDING OFFICER: (SENATOR WATSON)

We'll take that under advisement. Thank you. Further discussion? Senator Walsh. ...Walsh. Further discussion? Senator Farley.

SENATOR FARLEY:

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Thank you, Mr. President, Ladies and Gentlemen of the Senate. It disturbs me that a hundred-and-thirty-page amendment comes before us two days before the end of our Session here, dealing with an issue that I think should be bargained back at the local unit. It disturbs me that we are legislating something that I think should be resolved in all good faith at a bargaining table back in Chicago. We all have friends in labor on both sides of this issue. I think that the testimony in the Executive Committee was rather confusing, in that it talked about two unions combining, another two unions combining to act as an agent, and that was one bit of testimony. And the opposition testified that if that were the case, that their unions would in fact be -- be out of business. So it was stated that, in one regard, this would be union busting, and the opposite, that this is actually counter of privatization. I am, in the last couple days, struggling with this issue, as many of the other Members in this Chamber are. And I think that the request by those unions that have not signed off on this particular issue is a fair request: that they have a chance to negotiate a little longer; that they have a chance to come to a resolution; that they ask this Chamber not to legislate in this -- in this matter, and to hold off until the spring. I think that is a fair request, Mr. President. I think that there is a lot of confusion over this hundred-and-thirty-page document. I think that if we do hold off, as we have in other matters - the deregulation this year, the education this year, these other matters that -- that are of importance - I think we're doing the right thing. There was testimony in committee of -- of the fact that if this wasn't done, that McCormick Place would -- would lose shows. On the other hand, there was testimony that said if this happened, there were two distributors or displayers that were going to leave because of this legislation. I would like more testimony. I would like more facts. I'd like more -- more expert

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

testimony. I would like some of those exhibitors to -- to come in and -- and explain to us, in a very thorough manner and way, just what the ramifications of -- of this particular legislation would be. It obviously will be affecting millions of dollars in revenue to the City of Chicago and to the State of Illinois. And I would, Mr. President and Ladies and Gentlemen, respectfully request that we vote Present on this issue. Give those people a chance to try and work this out. If not, come back and have full and complete hearings, act on the issue, two months from now - we're back here in two months, which is the beginning of our next year's Session and then, in a rational and very deliberate way, decide what is best for the economy of this State, the exposition center, and all of those good union people who are supporting working families. I would make that request and I would intend and hope that Members would join me in voting Present.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. I move the previous question.

PRESIDING OFFICER: (SENATOR WATSON)

There are eight speakers. Nine. Senator Jones, Demuzio for a second time, Collins, Jacobs, Cullerton, Lauzen, Radogno, Dudycz and Geo-Karis. Senator Cullerton.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I just feel compelled to just review briefly - refresh your memory, for those of you were here in 1989 - with regard to the passage of this legislation, just to give you a little history. In order to expand McCormick Place, we enacted four taxes: a tax on hotel rooms in Chicago, car rentals in Cook County, a bus and taxi pick-up and drop-off fee at O'Hare and Midway, and a food tax that was advertised as being on downtown Chicago. The problem was, and

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

the reason why I voted No, was that it -- it's not just on downtown Chicago. The district that is -- it covers goes as far west as Ashland, which is 1600 West in the City of Chicago, and as far north as Diversey. And it doesn't just cover, you know, restaurants where tourists sit; it covers cafeterias; it covers pizza places; it covers hot dog places. Whenever people in my district want to just order a pizza, they have to pay an extra one percent. We figured out that it -- it was like six million dollars per year from the people who lived in a regular neighborhood like -- like yours that had to pay for McCormick Place. It was the wrong thing to do. And get this: The tax brought in more money than they expected. And as a result, you may recall that a few -- maybe a year ago, the Governor proposed a dome stadium near McCormick Place. And guess how he was going to pay for it? He was going to pay for it, to the tune of a hundred and eighty-five million dollars, with the extra money that we had as resulted from these taxes bringing in more than was ever expected. And so, the people at McCormick Place say, in their request to vote for this - and listen to this; this is beautiful: The legislation capped - they're talking about the legislation we passed in 1989 - the legislation capped the dollar amount of bonds which could be sold at a number lower than the tax revenue stream would support. So they didn't come in here and say, "Well let's lower the taxes. We don't need the -- to raise as much money. Make the district smaller; have it cover just the, you know, the -- where the tourists are." Instead of doing that, they're saying, "Hey, we got some extra money, let's spend it." And that's the part that -- that I object to. The -- the projects that they want to spend the money on are fine. The -- the fact is, though, that we still have extra money coming in as a result of this. And I intend next year, and I hope you would support me, to at -- not in any way to jeopardize these bonds, to shrink the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

district. The north side of Chicago is growing. The tourism is growing. There's plenty of money that comes in from the restaurant tax, the food tax, but let's make it cover the people who are -- the tourists, who are really suppose to pay it. And I hope that the Bond Council next year, when they come in and say, "Well, we can't do that; they're against it", they remember that they came in here today and said, "Oh, it's okay to spend more money, but it's not okay to reduce your tax", cause that is wrong.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President, Members of the Senate. I concur with Senator Farley when he said that this is an issue before us, primarily on the union issue and the collective bargaining issue that should be bargained at the local level. Before the Executive Committee, the union did appear -- the unions' spokesperson for the consolidated group, indicated that this issue was bargained and there were -- everyone had an opportunity to have input around the table. Well, I'm a little leery about that because, like Senator Farley, I didn't see this document until it was developed, but even then my name was on it, the Conference Committee Report. No one talked to me about what was going to be contained in this bill. But they counted me, without including me. That's a common practice around here. I didn't sign the Conference Committee Report, because I thought a conference committee report -- those of us who are elected and selected by the Leaders to serve on conference committees were responsible for sitting down, negotiating and putting together a conference committee report that we all have had some input in, notwithstanding whether we agree or disagree to the content. I didn't have that opportunity. The arrogance of this group of people didn't bother to talk to me about it until after I didn't -- I refused to sign the Conference

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Committee Report. The label -- the -- the -- before the Executive Committee today there were pros and cons. I tend to believe the people who are opposed, that they are expendable. The larger unions have united together. The whole idea behind this, I am told, the objective, was to save money to reduce the costs. But no one can tell me where the cost cutting is coming from. So then, I can only conclude that it is that -- those two unions, small unions, mostly laboring-type people that they're going to cut out and get rid of, hire some more people in their place at cheap labor. That is what this is about. Yes. Whether it is or not, it smells and it reeks of union busting. And who's going to get hurt? The little guys. That's what this is again. So I -- I vote No and hope you do the same.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Radogno.

SENATOR RADOGNO:

Thank you. I think my comments are similar to many that have said this is just too much too late, and if I can editorialize on this process as a freshman, I think that happens a little too often around here. Makes me very leery as to what's in this bill. Secondly, I think it mixes issues that shouldn't be mixed. I don't understand why we can't deal with the bond issue separate from the labor issues. I don't know if these labor issues have merit or not. I'm somewhat suspicious about 'em. But I do know that I've had lots of calls over the last couple weeks in my office. I've had people literally crying, in tears, and fearful over what this was going to do. So at the very least there's misunderstanding about what this bill would do, and I would urge people to vote No until we have some time to ferret out these issues and be sure that we're treating everyone fairly.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.
Would the sponsor yield for a couple questions?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, on page 2, the underlined portion, it, in effect, says: "In the case of the Metropolitan Pier and Exposition Authority, the Authority shall not be required" -- "shall not be required to bargain over matters of inherent managerial policy", and then it goes on. I understand that's pretty normal language. But will you explain to me what "direction of employees" means? We are exempting from the bargaining table the direction of employees. Is that correct?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

I believe -- my understanding of the language is that, Senator, is that you do not have to bargain for the selection of new employees.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

My question was not with the -- the -- the selection of new employees; it was the direction of employees. It appears to me that every bargaining agreement that I know of allows you to bargain how the employees are to be directed.

PRESIDING OFFICER: (SENATOR WATSON)

Is that a question, Senator? Beg your pardon. Senator Maitland.

SENATOR MAITLAND:

I believe -- I believe what that means, Senator, is that the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Authority believes that that is a management decision.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Well, I have exception with that, but anyway I'll except that for the time being, Senator. Also then, on -- on -- on page 5, again in the -- the language: "...the Board shall not recognize... more than a single bargaining unit for employees involved in drayage, rigging, and directly related work duties, and... more than a single bargaining unit for employees involved in carpentry, decorating, and directly related work duties." If the -- let's then -- you know -- I mean, if we're going to use that logic, Senator, why do we not then include all of the labor unions into one? - which is what they're actually looking to do. Is -- is that what you're looking to do here with this legislation?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

I -- I think the attempt, and in my conversations with Mr. Reilly, I think there was the intent, to have as many together to make for more efficient bargaining and a more efficient operation. And admittedly, you know, there are some that don't agree with this.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Well, I for one. I'm going to echo just a little bit of the statement made by Senator Farley and Senator Collins and Senator Radogno: that this does appear to be really a strange bill from the standpoint of what we're doing with labor unions. I -- I don't know if it's union busting, but I personally do believe that we have no business being in -- in -- in labor negotiations. And

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

that's really what we're getting ourselves involved in. That's a very dangerous precedent. Let me ask you a question, Senator, on page 9, in regards to the expansion. What is the expansion? What -- what is the money going to be used for?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

For -- I think I addressed that, or, Senator, I tried to address that. It's my understanding that a -- a four-thousand-car parking garage and a bus lane to allow for buses to make the pickups in a -- in a more proficient way.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

And that's a hundred million dollars. Is that correct? Or, a hundred and six - whatever it is.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

I think, Senator, that part of that is for refunding of some of the bonds, as well.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

Just a couple more questions, and I'll try to be brief. Is the Governor for this project?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

I'm sorry, I didn't hear the question.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SENATOR JACOBS:

Is the Governor for this project?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Senator Jacobs, it's been some time since the Governor has talked to me and -- and he didn't talk to me on this issue. I'm sorry. We might be able to find that out before this debate's over.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Jacobs.

SENATOR JACOBS:

In closing, and to the bill, and a personal observation: The reason I asked about the Governor is -- is we had a -- a proposition to add to our civic center, a lousy four and a half million dollars, a lot less than this, that would have added a training center to a very successful civic center that was making tons of money, and it is making tons. It's rated number one in the world for civic centers of its size. We just got through with Elton John. We've got -- we've got more people coming than Carter's got little liver pills. But the Governor said: No, I don't want to open that up; I don't want to open up any monies to where people would be asking for more money. Now, here all of a sudden comes somebody - and I think Reilly is pretty close to the Governor - and says, I want ninety-six or a hundred and six million dollars to build a parking garage and et cetera. And I just happen to think that if you're going to be fair in this process, let's be fair. I would agree with my colleagues that spoke before me, that I think a Present vote is the correct vote on this issue, because I -- I think it's moving too fast. I think it's getting involved in areas that we don't belong in, and I ask for a Present or No vote.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Well, thank you, Mr. President. You know, I've heard that term union busting in -- in committee earlier today, or earlier this evening, and I've heard it in debate on the Floor also, and I've spoken with some of the union people that have been opposed to this legislation, as well as those in support, and I'm -- I'm about as confused as everybody else on this issue. Why are we -- why are we debating union versus union? This is union busting? Well, who's -- who's on the sides of this issue? Well, on -- on one side, we have the locals; it's my understanding, are the Riggers and the Decorators, and their claiming that their union is about to be busted by the opposition. Well, who is this opposition? In debate in -- in committee, I asked. And people who have recorded to be in favor of -- of House Bill 18 are, well, the Mayor, the City of Chicago - pro-labor Mayor, a pro-labor city - naturally, the McCormick Place Board. They want this, because they're going to get a hundred million dollars in bond authorization increase. The City of Chicago supports it. Well, we have the Chicago Federation of Labor supports it. We've got the Electrical Union - the 134 supports it - the Carpenters, the Iron Workers. Local 714 of the Teamsters is in favor of this bill, and the Carpenters 710 are in favor. So if this is a union-busting initiative, it's unions that are busting other unions. The way I'm -- what I'm -- what I'm reading between the lines in this -- this debate between the unions is this is a family fight, and we should not have been brought into it. And, you know, if this was exclusively an -- a collective bargaining bill, I would agree with some of my colleagues that maybe we should all vote for Present and send them all home and say, "Continue to work this out among yourselves. Why are you bringing this to us?" But Ladies

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

and Gentlemen, it is -- it is almost 10 o'clock on the last day of the Veto Session of 1997 and we are faced with a dilemma. You know, take it or leave it. You got House Bill 18. You got to vote for it or vote against it. And it does include a -- the bond authorization increasing McCormick Place, to -- to be able to compete with Atlanta and New York and Las Vegas, who are constantly fighting us for those hard-to-reach convention dollars. And, of course, we don't have casino gambling in Chicago. We can't compete with -- with Las Vegas, and they're doing a wonderful job of taking a lot of our convention business. So, McCormick Place has to do something. But you know, I -- I wish these -- these two issues were separate, but they're not separate. And we're being forced to vote on -- 9:30 or almost 10 o'clock on this package. And please don't talk about the union busting; we've got -- this is something none of us has ever seen before. I don't -- at least I haven't seen before. People are -- unions are accusing other unions of union busting and it's -- it's their leadership and their -- their internationals and their national unions that are -- are supporting this legislation. So I'm going to vote for this and I would think that -- that -- I would hope that a majority of the Senate vote with me.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I understand that the monies to be paid will be affecting the Build Illinois Bond Act. And I question whether or not this should be a thirty-vote majority or thirty-six. Because if the Build Illinois Bond Act includes General Obligation Bonds, then it should be thirty-six. But I'm going to leave it up to the Chairman -- the President there. However, I have a number of constituents who belong to the Riggers Local 136 and Decorators Union, and I can

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

tell you that -- they feel left out. Now, if the bigger unions think they should control everything, then we're discriminating against the smaller union, and the smaller union is not being brought into this. They've tried to negotiate. They haven't completed negotiations, and like Senator Farley said, this bill is a hundred and twenty-eight pages; thrown -- it's thrown at us right now. I think it is dangerous to go into it. I do not feel that we should vote on this tonight. Why can't we wait till January so we'll have time to digest this and check it all more completely? I -- there's a lot of bond money to be spent. I certainly like to see McCormick succeed, but I don't think it should be on the backs of the small taxpayers. And some of these small unions are small taxpayers, but they're my constituents and I certainly will not vote for a bill that affects them where they cannot be included. And they're not being included in this agreement and I think this bill is a travesty of justice and I -- I urge my colleagues to either vote Present or No against it.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Jones.

SENATOR JONES:

Thank you, Mr. President. I've listened to the debate on both sides of this issue, my colleagues on this side and my colleagues on the other side. We recognize that McCormick Place not only serves the City of Chicago, but it serves the entire State of Illinois. And to be viable and competitive, we must have a good place where -- where shows will come, where people can park, and people can generate the necessary revenue that runs the entire State of Illinois. So I have no problem with that aspect of the bill. When the issue was first brought to my attention a little more than three weeks ago, I had a meeting with all the labor leaders who had a concern on this issue, because there was an attempt, I was informed, to do this without any input from labor.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

And I suggested to all those involved - the Riggers, the Decorators, the Teamsters, the Carpenters, Chicago Federation of Labor and all their entire group - that you go together, you come back and you get a compromise, and you all work out your difference. And I picked up the paper one day and I read it, in the Chicago Sun-Times perhaps, that there's an agreement with labor. Labor had agreed to this particular aspect in the bill that is before us. Then I found out later that one particular group said, "Well, the leaders of the labor don't represent me." Now, you elect your own leaders, and we deal with unions all the time. And I recognize my colleague, Senator Farley, and we discussed this issue: labor should get together and work out their differences. But then, too, I recognize the Teamsters want it. I know Local 134 want it. I know the Carpenters want it. And -- and you go on and on, but if -- if one group continues to hold out, then there will never be an agreement. So I rise up in support of this bill. I rise up in support, because it is a bill that is -- is needed. We need the bond authorization so we can build that garage, so all you downstate suburbanites and people from all across the country can have a place to park, spend their tax dollars. Those tax dollars go to the entire State, not just the City of Chicago. And those persons who are concerned about their job sometime want -- in bargaining you've got to give and take. And I don't think this is a union busting bill per se. And I've told individuals, if you had a concern about your leadership in the unions, you call it when you have your election, vote them out of office, and -- and elect someone to represent you in that capacity. But I know they did sit down and no one was froze out. And I've been -- I've been assured by the -- by those at McCormick Place and Chicago Federation of Labor that the issues as -- as -- as the -- the decorators were talking about, that those issues will be addressed if they would sit down and say I want to be a

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

part of this. It's a difficult issue that we have before us. We should not be caught in this posture. But most of those who it involved sat down and said this is what we agreed upon. So we should not be out here discussing this issue and talking about union busting, 'cause I would not be up here voting for anything that was dealing with union busting. So I encourage the Members on this side of the aisle, do the responsible thing and vote Aye on this piece of legislation.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Just one quick question; the other two questions were answered in the debate. For the sponsor: What happens to the tax and the tax rates when the bonds are paid off?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Senator, I -- I don't know that the law that created them speaks to that issue. I -- I'm telling you that I assume they -- they continue until something else is done. That is -- that is the revenue stream for the bonds, we all know that. And whether there was a -- I -- I -- I don't recall the legislation for sure, maybe someone else in the Body knows, but usually when we create a revenue stream for bonds, which we have to do, I don't think we speak to the issue of saying when the bonds are paid off that the tax ends. I don't believe we do. That's not a very good answer, but it's the best answer I can give to you until I get a better one.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Demuzio, for a second time.

SENATOR DEMUZIO:

Well, thank you. In respect to the ruling that the Chair has

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

made, let me point out, Mr. President, that on July 18th, of 1991 at the hour of 9:15, I, as the Presiding Officer, was challenged also by Senator Hawkinson, who requested a ruling from the Chair with respect to the number of votes that -- required for the adoption of the conference committee report at that time, which, of course, included a increase in the bond authorization also. The Chair ruled that it took thirty affirmative votes. And I guess your ruling, I guess, would have to be similar to the one that I made back in 1991. So I guess it just goes to show you that when you're in the minority you always want it to be three-fifths, and so when we're in the majority, it should be thirty. Although I do think it requires a thirty-six extraordinary majority in order to increase the bond authorization. However, you lost your challenge at that point. I'm quite sure I'm about the lose mine, but I appreciate -- appreciate very much the fact that you ruled similar to I. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Well, thank you for that history lesson. Senator Maitland, to close.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of -- of the Senate. I -- I appreciate the debate and the thoughts on both sides of -- of this issue and -- and truly recognize some of the concerns and respect those concerns. I would submit to you, though, that there have been long and difficult negotiations on this issue. McCormick Place is critically important to the City of Chicago. Good relationship with the unions is critically important. Roughly ninety percent of the men and women who work in those unions support this agreement. There is, and we must admit that, roughly ten percent of the workers who don't support it at this time, and I -- and I regret that. I think this is a good-faith effort and I would seek your support. Thank you.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall the Senate adopt Conference Committee Report on House Bill 18. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Take the record. The Ayes are 29, the Nays are 20, 10 voting Present. The Conference Committee Report is not adopted and the Secretary shall so inform the House. We would like -- forget it. Senator Maitland.

SENATOR MAITLAND:

I was seeking your recognition. I would like to put that on Postponed Consideration.

PRESIDING OFFICER: (SENATOR WATSON)

Postponed Consideration. ...remain on Supplemental Calendar No. 4. Supplemental Calendar No. 4. House Bill 108. ...Secretary, do you have on file a Conference Committee Report on House Bill 108?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on House Bill 108.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the bond authorization, or debt limit increase, necessary to permit the sale of the bonds for the projects that we approved in to supplemental, as well as to support the 1.1-billion-dollar education construction program that we passed twice now tonight with -- with the Presiding Officer's help. The current bonded indebtedness of the State is... The increase in bonded indebtedness in total is one billion three hundred and sixty-two million. Of that, 1.1 billion is the educational program. The balance of the bonds are for the -- the Governor's requested

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

programs, and that amount is two hundred and sixty-two million dollars. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? Any discussion? Seeing none, the question is, shall the Senate adopt Conference Committee Report on House Bill 108. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. The Senate does adopt the Conference Committee Report on House Bill 108. And the bill, having received the required three-fifths majority, is declared passed. We are in the process of distributing Supplemental Calendar No. 5. ...understand it is being distributed as we speak. Messages from the House, Madam Secretary.

ACTING SECRETARY HAWKER:

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 Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 56.

PRESIDING OFFICER: (SENATOR WATSON)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Leave is granted. ...should have distributed Supplemental Calendar No. 5. Conference Committee Reports. Madam Secretary, do you have a file -- a Conference Committee Report on Senate Bill 56?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 56.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Mahar.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SENATOR MAHAR:

Thank you, Mr. President and Members. This is an amendment to the electric deregulation bill that this Chamber considered two weeks past, and it's a result of the negotiations we've had with CILCO. We came to an agreement with them late this afternoon. It removes CILCO's objections and as -- also that of the Second Floor. CILCO would have had to have a five-percent residential rate discount on August the 1st of '98. What this does is phase in that five percent as follows: two percent on August the 1st of '98, two percent on October the 1st of 2000, and an additional one percent on October the 1st of 2002. In addition, the earnings cap will apply to CILCO, but is set at a level that equals their current authorized rate of return, which is about sixteen percent. All of those who were in favor of the bill two weeks ago remain in favor, and as I say, CILCO's objections and the Governor's objections have been removed. I'd be happy to answer any questions, Mr. President, should there be any.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes, just real quickly. This -- does this have any... I'm sorry. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Does this have any -- this is a trailer bill to the bill we passed. We talked about -- you talked about a trailer bill when you passed the bill, and I'm wondering if -- and we -- I think we were talking about environmental issues at the time. Does this amendment -- trailer bill have any -- deal with any of those environmental issues that you talked about?

PRESIDING OFFICER: (SENATOR WATSON)

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

Senator Mahar.

SENATOR MAHAR:

Thank you, Senator Cullerton. No, we agreed that we would do that in the spring. We continue to talk with the environmentalists on that. This -- this -- the only issue that is dealt with in this Conference Committee Report is the agreement we have reached with CILCO.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, the question is, shall the Senate adopt Conference Committee Report on Senate Bill 56. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 56. And the bill, having received the required three-fifths majority, is declared passed. Once again, we're on Supplemental Calendar No. 5. Senate Bill 320. Madam Secretary, do you have a file on Conference Committee Report?

ACTING SECRETARY HAWKER:

Yes. First Conference Committee Report on Senate Bill 320.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Mr. President. This bill is substantive authorization of legislation that we just previously funded. This includes the language by the Governor's Office to provide temporary naturalization and -- and nutritional assistance to legal immigrants. This is not replacing - for those who've questioned it - not replacing the federal Naturalization Program. This is agreed-to language from all four caucuses. I know of no opposition and would just ask for a favorable roll call.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall the Senate adopt Conference Committee Report on Senate Bill 320. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 320. And the bill, having received the required three-fifths majority, is declared passed. ...an announcement from the Chair that we have not completed our business. We plan on going to a death resolution shortly. We are -- plan on keeping the Chair open and remain in Session until further action from the President. This a death resolution. We'll ask all the Members to be in their seats. Will all Members be in their seat? Will the staff please retire to the gallery, and the doormen secure the doors? All Members in their seats, please. Resolutions, Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution 46, offered by Senator Radogno, Senator Philip, Senator Tom Walsh and all Members.

(Secretary reads SJR No. 46)

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. I was fortunate enough to -- to know Tec my entire life. My father was elected to the General Assembly the year I was born and -- and served with -- with Tec until 1976, when he ran for -- ran for Assessor. And oftentimes through that, they were in the -- the same district. When Tec went over to the Senate, my dad was in the House. Tec was a good friend to all the Walshes. He lived a block away from my sister, and it wasn't unusual for Tec to walk down the street, bang on the

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

door and talk to her. She's an appraiser and he was, as it was pointed out, I think, the first and probably the only person to date that has served as the Chairman of the Revenue Committee in both the House and the Senate. So he'd talk to her. And Tec and my father still -- still kept in touch, talking about old friends and their old times here in -- in Springfield. And Tec was always getting in contact with me about different issues going on in Springfield. And I see -- one of the things that I see -- honest and frank is described here and that really describes Terrel Clarke terrifically. He was great Republican, and loved the Republican Party, but when the Republican Party was wrong, and he thought they were wrong, he wasn't afraid to say that they were wrong. And he was a terrific guy. I -- I know our family is going to miss Terrel Clarke a lot. I know Springfield and the Senate will miss him. He enjoyed coming down here still and was down here just recently. I believe at the -- at the end of our Session in -- in May. And I know that the western suburbs -- I served on the -- I was in the Kiwanis with him, and everyone in the western suburbs will miss Terrel Clarke greatly. And we have his daughter, Betsy, here, who he was so proud of; his whole entire family, he was proud of. He's got a terrific family, and your father was a great man and we're all going to miss him.

PRESIDING OFFICER: (SENATOR WATSON)

Betsy is here, right here to the left of the -- of the Chair, and we welcome you, ma'am. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I've had the pleasure of knowing Tec Clarke for over thirty years. When I was a freshman, way back when in the Illinois House, he was a Member of the Senate, a person of leadership. When I would come over here with my, sometimes terrible, bills he was always very understanding, always very compassionate. He was truly a leader.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

When it came to revenue matters, tax matters, he was the authority in the Senate in those days. He was what I would call one of the good guys. He had a lot of courage, lot of stamina. He would stand up to the plate, hit those home runs, and Illinois and the legislative process have certainly -- have missed him.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh moves for the adoption of Senate Joint Resolution 46. All those in favor, please rise. The resolution is adopted. ...have our condolences. As I mentioned earlier, we will stand at ease for a few moments, and we would hope that you would keep within earshot of the microphone. We may be going in -- back in very shortly. ...actually going to do a little housekeeping matters here. So, we're going to do Resolutions Consent Calendar, Mr. Secretary. Have there been any objections filed, Mr. Secretary?

SECRETARY HARRY:

No objections filed, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

With leave of the Body, all those read in today will be added to the Consent Calendar. There's no objection. Senate resolutions on the Consent Calendar be adopted? All those in favor, say Aye. Opposed, Nay. The motion carries, and the resolutions are adopted.

(SENATE STANDS AT EASE)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will come to order. House Bills 1st Reading.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SECRETARY HARRY:

House Bill 1776, offered by Senator Klemm.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate Calendar Supplemental No. 6 is -- is, or has been, distributed throughout the Chamber. We will be going to the Order of Consideration Postponed. House Bill 18. Senator Maitland. Consideration Postponed. House Bill 18. Okay. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has passed a bill of the following title, in the passage of which I am instructed to ask the concurrence of the Senate, to wit:

House Bill 704.

Passed the House, November 14th, 1997, by a three-fifths vote.

We have a like Message on Senate Bill -- or rather, another Message from the House.

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 382, with House Amendment 1.

Passed the House, as amended, November 14th, 1997.

We have a like Message on Senate Bill 600, with House Amendment 5.

Also passed the House, as amended, November 14th, 1997.

PRESIDING OFFICER: (SENATOR DONAHUE)

On the Order of Supplemental Calendar No. 6 is House Bill 18. Mr. Secretary, do you have on file a Conference Committee Report on House Bill 18?

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

SECRETARY HARRY:

First Conference Committee Report on House Bill 18.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Thank you -- thank you very much, Madam President, Members of the Senate. This -- this bill, House Bill 18, the -- First Conference Committee Report was debated in this Chamber, couple of hours ago. I think the debate has been -- been discussed very thoroughly. It does represent an agreement with most of the unions that work at -- at McCormick Place. I think it's a good agreement. I had put it on Postponed Consideration, and Madam President, I would seek to try that vote at this time.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Farley.

SENATOR FARLEY:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I would renew my request that this bill not receive the sufficient number of votes to pass at this time. I renew my -- my request that this -- this bill not receive those votes, so that we can have some meaningful hearings on the -- on the issue in a couple of months. I -- I don't remember any time that this Legislature has ever legislated against a union contract, and I've been here for twenty-five years. And I -- I don't think it's proper. I don't think it's called for. I -- I think we're setting a -- a very bad precedent. We start interfering with these contracts at McCormick Place, next we'll be interfering with contacts at the Park District, at the Board of Education, and maybe that's what some people want. But I think we should take the posture that reasonable people can negotiate, reasonable people can work these things out, and I would hope that we would defeat this motion and vote Present.

STATE OF ILLINOIS
90TH GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

68th Legislative Day

November 14, 1997

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins, we've always had a practice on Postponed Consideration of one and one. Senator Maitland, to close.

SENATOR MAITLAND:

Thank you, Madam President. The hour is late. I would appreciate an affirmative roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Question is, shall the Senate adopt the Conference Committee Report on House Bill 18. 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? ...all voted who wish? Take the record. On that question, there are 29 Ayes, 21 Nays, 5 voting Present. The Senate -- the Conference Committee Report is not adopted, and the Secretary shall so inform the House. Senator Cronin, for what purpose do you seek recognition?

SENATOR CRONIN:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your announcement.

SENATOR CRONIN:

The Education Committee will not meet.

PRESIDING OFFICER: (SENATOR DONAHUE)

...any further business to come before the Senate? If not, pursuant to the adjournment resolution, Senator Weaver moves the Senate stand adjourned until noon on Wednesday, January 14th. The Senate is adjourned.

NOVEMBER 14, 1997

HB-0018	POSTPONED CONSIDERATION	PAGE	179
HB-0018	CONFERENCE	PAGE	154
HB-0027	VETO ACTION	PAGE	141
HB-0108	CONFERENCE	PAGE	172
HB-0221	VETO ACTION	PAGE	143
HB-0229	CONFERENCE	PAGE	111
HB-0229	OTHER	PAGE	120
HB-0229	OTHER	PAGE	138
HB-0381	VETO ACTION	PAGE	144
HB-0398	RECALLED	PAGE	146
HB-0398	THIRD READING	PAGE	147
HB-0452	RECALLED	PAGE	138
HB-0452	THIRD READING	PAGE	140
HB-0452	OTHER	PAGE	142
HB-0522	VETO ACTION	PAGE	145
HB-0533	SECOND READING	PAGE	83
HB-0606	CONFERENCE	PAGE	84
HB-0654	RECALLED	PAGE	2
HB-0654	THIRD READING	PAGE	19
HB-0868	RECALLED	PAGE	148
HB-0868	THIRD READING	PAGE	149
HB-0968	VETO ACTION	PAGE	121
HB-0999	THIRD READING	PAGE	62
HB-1005	RECALLED	PAGE	94
HB-1005	THIRD READING	PAGE	98
HB-1098	RECALLED	PAGE	99
HB-1098	THIRD READING	PAGE	100
HB-1105	VETO ACTION	PAGE	133
HB-1116	SECOND READING	PAGE	84
HB-1210	VETO ACTION	PAGE	134
HB-1296	RECALLED	PAGE	101
HB-1296	THIRD READING	PAGE	102
HB-1347	VETO ACTION	PAGE	135
HB-1347	OTHER	PAGE	138
HB-1400	CONFERENCE	PAGE	89
HB-1627	RECALLED	PAGE	3
HB-1627	THIRD READING	PAGE	5
HB-1627	OTHER	PAGE	17
HB-1633	RECALLED	PAGE	3
HB-1633	THIRD READING	PAGE	9
HB-1776	FIRST READING	PAGE	179
HB-1817	RECALLED	PAGE	109
HB-1817	THIRD READING	PAGE	111
HB-1840	VETO ACTION	PAGE	137
HB-2333	SECOND READING	PAGE	84
SB-0009	CONCURRENCE	PAGE	81
SB-0056	CONFERENCE	PAGE	173
SB-0320	CONFERENCE	PAGE	175
SB-0493	CONFERENCE	PAGE	112
SB-0493	OTHER	PAGE	120
SB-1219	FIRST READING	PAGE	2
SB-1220	FIRST READING	PAGE	18
SB-1221	FIRST READING	PAGE	18
SB-1222	FIRST READING	PAGE	83
SB-1223	FIRST READING	PAGE	83
SB-1224	FIRST READING	PAGE	83
SB-1225	FIRST READING	PAGE	90
SR-0129	RESOLUTION OFFERED	PAGE	18
SR-0130	RESOLUTION OFFERED	PAGE	83
SR-0131	RESOLUTION OFFERED	PAGE	90
HJR-0030	ADOPTED	PAGE	86
SJR-0044	RESOLUTION OFFERED	PAGE	18
SJR-0045	ADOPTED	PAGE	121
SJR-0045	RESOLUTION OFFERED	PAGE	120

NOVEMBER 14, 1997

SJR-0046 ADOPTED PAGE 178
SJR-0046 RESOLUTION OFFERED PAGE 176

SUBJECT MATTER

SENATE TO ORDER-PRESIDENT PHILIP	PAGE	1
PRAYER-PASTOR BILL DAVIS	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
JOURNALS-POSTPONED	PAGE	1
COMMITTEE REPORTS	PAGE	1
COMMITTEE REPORTS	PAGE	17
SENATE STANDS AT EASE/SENATE RECONVENES	PAGE	18
SENATE STANDS AT EASE/SENATE RECONVENES	PAGE	81
COMMITTEE REPORTS	PAGE	82
COMMITTEE REPORTS	PAGE	91
SENATE STANDS IN RECESS/SENATE RECONVENES	PAGE	91
COMMITTEE REPORTS	PAGE	91
SENATE STANDS IN RECESS/SENATE RECONVENES	PAGE	92
COMMITTEE REPORTS	PAGE	93
SENATE STANDS IN RECESS/SENATE RECONVENES	PAGE	119
COMMITTEE REPORTS	PAGE	119
COMMITTEE REPORTS	PAGE	120
COMMITTEE REPORTS	PAGE	154
MESSAGE FROM THE HOUSE	PAGE	173
RESOLUTIONS CONSENT CALENDAR-ADOPTED	PAGE	178
SENATE STANDS AT EASE/SENATE RECONVENES	PAGE	178
MESSAGES FROM THE HOUSE	PAGE	179
ADJOURNMENT	PAGE	181