

STATE OF ILLINOIS  
87th GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

87th Legislative Day

January 21, 1992

PRESIDENT ROCK:

The hour of 12:30 having arrived, the Senate will please come to order. Will the Members be at their desks, and will our guests in the gallery please rise. Our prayer this afternoon by Pastor Michael Koschmann, Immanuel Lutheran Church, Riverton, Illinois. Reverend.

THE REVEREND MICHAEL KOSCHMANN:

(Prayer by The Reverend Michael Koschmann)

PRESIDENT ROCK:

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

SENATOR HALL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Mr. President, I move that the Journals just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT ROCK:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Message from the Secretary of State.

SECRETARY HAWKER:

January 21, 1992. To the Honorable President of the Senate:

Sir - In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate bill that is being returned by the Governor, with specific recommendations for change.

Senate Bill 708.

Respectfully, George H. Ryan, Secretary of State.

PRESIDENT ROCK:

Secretary's Desk. Introduction of Bills.

SECRETARY HAWKER:

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Senate Bill 1528 offered by Senator Brookins.

(Secretary reads title of bill)

Senate Bill 1528 <sic> (1529) offered by Senator Karpziel.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

Rules Committee. Resolutions.

SECRETARY HAWKER:

Senate Resolution 994 offered by Senator del Valle.

And Senate Resolution 995 offered by Senator Ralph Dunn.

They are both congratulatory.

PRESIDENT ROCK:

Consent Calendar. Senator Friedland, for what purpose do you arise, sir?

SENATOR FRIEDLAND:

Point of personal privilege, Mr. President.

PRESIDENT ROCK:

State your point, sir.

SENATOR FRIEDLAND:

Mr. President, I just wanted to thank you, as President of the Senate, and the other Members for the flowers that were sent last week to the funeral home -- caused by the unexpected death of my brother. And I appreciate all the condolences and cards and sympathies that have been extended to my family and I, and it's really helped us in our time of sorrow. Thank you very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Message from the House.

SECRETARY HAWKER:

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

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

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Senate Bill 424, together with House Amendments 2, 3, 5, 6 and 11.

Passed the House, as amended, January 21, 1992.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. So that everybody is on the same wavelength, I direct your attention to Supplemental Calendar No. 1. ... (machine cutoff)... House, just a few minutes ago, passed to us Senate Bill 424 with House Amendments 2, 3, 5, 6 and 11. Senate Bill 424, in its current form, provides only for some five hundred million dollars in borrowing - short-term borrowing - to pay the Medicaid providers. It has been agreed that this will be the bill that will be used as the vehicle, subject to a conference committee report that will reflect not only the borrowing, but in addition thereto, the Emergency Budget Act of 1992. And so I would move, with leave of the Body, that the Senate non-concur with House Amendments 2, 3, 5, 6 and 11, and ask that the bill be sent back to the House with the request for a conference committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WICS-TV and WAND-TV and a number of others have requested permission to videotape. Is leave granted? Leave is granted. Is there discussion on the motion made by Senator Rock? Senator Rock... Question is, shall the Senate non-concur with House Amendments 2, 3, 5, 6 and 11. All in favor, indicate by saying Aye. Opposed, Nay. The Ayes have it. Motion carries, and the Secretary shall so inform the House. Senator Philip, for what -- what purpose do you arise? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would ask that the record would indicate Senator Topinka is out

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of the country, specifically in Taiwan; Senator Raica is home convalescing with his ulcer; and Senator Keats is up at Mayo's Clinic with his wife.

PRESIDING OFFICER: (SENATOR DEMUZIO)

And Senator Joyce Holmberg is also at home, due to an illness in the family. All right. Record will so reflect. Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, immediately after this morning's Session there will be a Republican Caucus in Senator James "Pate" Philip's Office. I repeat - Republican Caucus immediately after this morning's Session in Senator James "Pate" Philip's Office.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jacobs, for what purpose do you arise?

SENATOR JACOBS:

Mr. President, just a matter of personal privilege, I guess. Last week, because we didn't meet as much as we did -- should have, maybe, on the Floor, I was unable to get this message in. But last week Mike Ragen became forty years of age. And I think that we should let them know that he does a very good job on staff, and appreciate him staying around with us.

PRESIDENT ROCK:

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Well, thank you, Mr. President. While we're on that subject, we also have another person today who has turned forty - a person who has gone through a great deal of pain and effort to keep it from us. But - not you, Billy - but it is with a great deal of pleasure that I announce to the world that Penny Severns is age forty today, and -- and we -- and to show our affection, we have some dead flowers back here that we'd like to present with her

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today. Happy birthday.

PRESIDENT ROCK:

Happy birthday, Senator Severns. That -- that having once been announced, you are now entitled to start going backwards. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. There'll be a Democratic Caucus immediately in Room 212.

PRESIDENT ROCK:

All right. Democratic Caucus immediately in 212. Senator Geo-Karis has requested a Republican Caucus immediately in Senator Philip's Office. Ladies and Gentlemen, we will attempt to have a caucus and outline the parameters of the agreement, and when we return from the caucus we will start to vote. So I would encourage all of us to promptly attend the caucus and promptly get back to the Floor. We'll stand in recess until the hour of two o'clock. Two o'clock, back on the Floor.

(RECESS)

(SENATE RECONVENES)

PRESIDENT ROCK:

The hour of six having arrived, the Senate will please come to order. Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendments 2, 3, 5, 6 and 11 to a bill of the following title, to

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wit:

Senate Bill 424.

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

Action taken by the House, January 21, 1992.

PRESIDENT ROCK:

All right. Senator Berman would move to accede to the request of the House. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The Senate does accede to the request of the House. Ladies and Gentlemen, for those of you within the sound of my voice, we have now Supplemental Calendars 2 and 3 that have been presented to the Membership. There is, in addition, a -- an adjournment resolution, which will call for us, when we conclude our business this evening -- rather quickly, I hope -- to return on the 31st day of March at the hour of noon. We will begin, with leave of the Body, on Supplemental Calendar No. 3. There is a Conference Committee Report on Senate Bill 424. Madam Secretary, I'm sure in the meantime we have some paper to push through, while we're affording the Membership an opportunity to reconvene. We will begin, Ladies and Gentlemen, when we begin on Supplemental Calendar No. 3, with Senate Bill 424. Introduction of Bills, Madam Secretary.

SECRETARY HAWKER:

Senate Bill 1530 offered by Senator Etheredge.

(Secretary reads title of bill)

Senate Bill 1531 offered by Senators Luft and DeAngelis.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDENT ROCK:

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Rules Committee. Resolutions.

SECRETARY HAWKER:

Senate Resolution 996 offered by Senator Kelly.

And Senate Resolution 997 offered by Senator Cullerton.

They're both congratulatory.

PRESIDENT ROCK:

Consent Calendar.

SECRETARY HAWKER:

Senate Resolution -- Senate Resolution 998 offered by President Rock.

And Senate Joint Resolution 121 offered by Senator Carroll.

They are both substantive.

PRESIDENT ROCK:

Executive. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would ask that the Committee on Executive be discharged for immediate consideration and adoption of Senate Joint Resolution 121. Let me just briefly explain. As you'll recall, last year, we had, by resolution, created a special task force to look into the pharmaceutical caps on senior citizens, in an effort to come up with a solution to that problem. The reporting date for that resolution was supposed to be in February. Obviously, since the House Republicans have not yet chosen their member, we won't be able to meet that date, nor will we be in Session. So that the resolution would have it report back April 7th, 1992, instead of the February date, and I would urge immediate consideration and adoption.

PRESIDENT ROCK:

All right. Senator Carroll has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 121. Any discussion? It merely extends the reporting

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date until April the 7th. All in favor of the motion, indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Carroll now moves the adoption of Senate Joint Resolution 121. All in favor, indicate by saying Aye. All opposed. The Ayes have it. And the resolution is adopted. Senator Philip, for what purpose do you arise, sir?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I have Senate Joint Resolution 116, which you and I are the co-sponsor of...

PRESIDENT ROCK:

Okay. Senator Philip.

SENATOR PHILIP:

Yes. Thank you, Mr. President. I would ask that we would discharge the Executive Committee and ask for the immediate consideration of Senate Joint Resolution 116. What it does, Mr. President, it asks the Legislative Research Unit to study the effect of early retirement on the State of Illinois, and report back to us on April 1, 1992.

PRESIDENT ROCK:

All right. Senator Philip has moved to discharge the Committee on Executive from further consideration of Senate Joint Resolution 116, and asks that it be immediately considered and adopted. All in favor of the Motion to Discharge, indicate by saying Aye. All opposed. The Ayes have it. The motion carries. Senator Philip now moves the adoption of Senate Joint Resolution 116, which calls for the -- our arm - the Research Unit - to afford us the information with respect to the effect of the Early Retirement Program. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Resolutions.

SECRETARY HAWKER:

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Senate Resolution 998 <sic> (999) offered by Senator Welch.  
It is congratulatory.

PRESIDENT ROCK:

Resolutions. All right. The last resolution was a  
congratulatory; it will go to the Consent Calendar, with leave of  
the Body. Resolutions, Madam Secretary.

SECRETARY HAWKER:

Senate Joint Resolution -- Senate Joint Resolution 120 offered  
by Senator Demuzio.

(Secretary reads SJR No. 120)

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President and Ladies and Gentlemen of the  
Senate. This is a very long resolution that provides for fourteen  
perfunctory Sessions of the House, but I guess more importantly,  
it's the adjournment resolution that calls for us to come back -  
after the Senate adjourns today - to -- to return March the 31st  
of 1992 at the hour of twelve noon. So I would move to suspend  
the rules for the immediate consideration and adoption of Senate  
Joint Resolution 120.

PRESIDENT ROCK:

All right. Senator Demuzio has moved to suspend the rules for  
the immediate consideration and adoption of Senate Joint  
Resolution 120 - the adjournment resolution. Calls for us, at the  
conclusion of our business early this evening, to return on March  
the 31st at the hour of noon, in accordance with the Governor's  
request - which we'll get to a little later. All in favor of the  
Motion to Suspend, indicate by saying Aye. All opposed. The Ayes  
have it. The rules are suspended. Senator Demuzio now moves the  
adoption of Senate Joint Resolution 120. Discussion? If not, all  
in favor, indicate by saying Aye. All opposed. The Ayes have it.

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And the resolution is adopted. All right. Madam Secretary. Ladies and Gentlemen, if I can have your attention. And I would ask the staff to please afford us the opportunity to be heard. We will, with leave of the Body, begin, as the Chair indicated, with Supplemental Calendar No. 3. There is a Conference Committee Report on Senate Bill 424. The Chair has been requested to ask leave of the Body to change the chief sponsorship from Senator Berman to Senator Carroll. Without objection, leave is granted. Madam Secretary, the Conference Committee Report -- Supplemental Calendar No. 3, Conference Committee Report on Senate Bill 424.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 424.

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As I think everyone knows, this is now the Emergency Budget Act for this -- the rest of this fiscal year. Let me just very briefly say that this is an Act that none of us wish has to pass. It is an event that none of us are happy about; but it is a fact of life that the recession has caused the State of Illinois to have a revenue shortfall. As a result of that knowledge we began hearings, and the Governor proposed a three-hundred-and-fifty-million-dollar reduction in the operations of State government. That would have created some very bad situations - situations that I think none of us were really happy about. We met; we heard the public at various hearings; and we came up with some ideas, recognizing that there would be no tax increases and that we must, in fact, curtail government spending by one way or another, and produce three hundred and fifty million dollars to meet part of the shortfall. As a result of that, there were some extenuous circumstances -- extenuating circumstances and

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a lot of negotiations. We believe, as a result of those negotiations, we have found alternative methods to that which the Governor first proposed that will share the burden over a larger group of people - such as using those agencies that happen to have special funds instead of General Revenue funds - spread the burden over a larger group of people, so that those most in need of the State - particularly during these recessionary times - will not have to get hurt as bad, or as hard, as first presumed. Our intent is to keep State services to those most in need - I mean clearly, again, education at the elementary and secondary level, particularly, was our highest priority; the medical care; and the care for our aging. This deal that is presented to you today is not a good deal. None of us wish that we had to be here. But I believe it is the very best deal we could do under these recessionary times. Let me just say also that the Bureau of the Budget had identified to us a real revenue shortfall, at least through November, of about two hundred and thirty-five million dollars; asking for budget cuts of some three hundred and fifty million dollars. I believe it is the wisdom of this Chamber, and hopefully, the House - and the correct wisdom - that we in fact cut the three hundred and fifty million dollars, knowing that the economy is not getting any better, and -- and feeling for sure that by today cutting more than maybe our current revenue shortfall really shows, this is an issue that we will not have to revisit this fiscal year. I think in our various caucuses we have gone through each and every item of both the original proposal of the Governor and that which we were able to adjust. I say again that this is not a wonderful deal; but it is the very best we could do to keep the State fiscally healthy, provide essential services to the people of Illinois, and not cause more taxes to have to be imposed on those people. And I would ask for a favorable roll call.

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PRESIDENT ROCK:

Further discussion on -- Senator Carroll has moved the adoption of the Conference Committee Report on Senate Bill 424. Discussion? Senator -- well, before we get there, allow me, please, to afford, with leave of the Body, the opportunity for WICS, WCIA, WAND-TV, WLS, and anybody I miss -- with leave of the Body, they'll have the -- leave to shoot some videotape, particularly of Senator Demuzio. Oh! Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I -- I know you were not urging that I be shot. Let me -- let me just make a couple of comments, if I might. I certainly don't disagree with what Senator Carroll has -- has indicated in his opening remarks. A number of people have worked long and hard with respect to these cuts, and I'm rising reluctantly myself to indicate today that I support what we are about to do. You know, it's too bad that the Governor didn't come to the Legislature some time back with this problem. I think we all knew that the first-quarter revenues were off eighty-three million dollars. And we had Joan Walters, the Director of the Bureau of the Budget, who was in early in December, and I think everyone at that time recognized that there was a tremendous revenue shortfall. The information probably should have come to us in a much more -- better way in which it did. And in fact, it wasn't, I suspect, until -- some of the information didn't arrive, I understand, till eleven o'clock last night. Over the weekend I had the opportunity to begin reading the book on the Dead Sea Scrolls, the biblical manuscripts that were found in 1947. It's the deception of -- to why they weren't released sooner. And I guess the analogy is, I don't know why the Governor didn't give us the opportunity to have the factual information at an earlier date. But the fact, I guess, is that if

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you don't vote for this today, I guess it's those that have indicated that they believe that revenue will be coming, and if it's not there, I suspect that others would have to go ahead and find revenue other places, which includes an income tax increase. I'm not prepared to vote for an income tax increase today; I am prepared to vote for these cuts. And let me say also, that embodied in this bill -- calls for us to give the Governor - an additional thirty days, I guess it is - until April the 7th to bring his budget. Let me tell you, I hope that we are prepared to stay here April, May and June, practically every day of the week, because if we are not, we're going to be just like Congress: we're going to be back here in July; we're going to be back here in August; we're going to be back here in -- in -- in any other month that it takes for us to finally get this budget together. I'm not keen about giving him the opportunity to delay his budget message by another month, but I guess it's the only game in town today. But I can tell you that April, May and June we had better be prepared to stay here and work five days a week and seven days a week to get out of here on the -- on the constitutional deadline of June the 30th. So I rise today to support the -- the bill, and I do so very reluctantly, I might add.

PRESIDENT ROCK:

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. I have a couple of questions that deal with legislative intent, and I'm not sure if I need to talk to the sponsor or to our spokesman.

PRESIDENT ROCK:

I think between Senators Carroll and Maitland, they can adequately respond to your questions. Senator Donahue, please proceed.

SENATOR DONAHUE:

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Great. All right. Can you explain to me the purpose of the bill's language which validates certain fund transfers?

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. It's my understanding that -- and -- and I didn't have the script ahead of time, Senator Donahue. But let me just say that from my review of -- of what has transpired to date, there was a question - in -- in June 40th or 45th, up before the 49th, when we passed the budget - that we had improperly delegated to the Governor broad-based legislative authority by not having been specific in each of the funds and their transfer. So the purpose of this section is to say to the Governor, "We are not giving a broad-based delegation," but rather are being very specific in that which we are delegating to him, specifying the fund and the amount to be transferred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Thank you. Are there also new fund transfers authorized, in addition to the transfers made under Senate Bill 45?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yeah -- yes, Senator Donahue. When we were here in June, July negotiating, we had identified to the Office of the Governor about eighty-five million dollars of funds I think everybody felt was available. At that time we had suggested - or he had suggested - that he had the authority to utilize up to fifty millions of those eighty-five million. By this Act, we are now saying that we can identify what he had intended to transfer in that fifty, plus the additional thirty-five. So there is an additional thirty-five in

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authority, and now eighty-five million in this Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I'm reminded, as I guess many of us would be, of the comment that President Rock made last July when we stood in this Chamber and he said, "It was a little bit like castor oil; it doesn't taste very good, but we have to do it." There's a Hungarian proverb that says, "Anything that must be done in a hurry takes time." I think from reviewing the budget package that the Governor delivered on January 8th, it's clear they did it in a hurry. We in the Legislature have tried to take the time to determine how to make the cuts as painlessly as possible. Our package at least diminishes the negative impact to the citizens of this State in an area that is important to us all - and that area is education. While it would be my preference - and the preference of most - not to cut a dime from education, the package that was delivered on January 8th would cut thirty-eight million from the State Aid Formula; our package cuts nine million. Instead of gutting the Community Care Program that takes care of so many of our seniors, we salvaged it in the package we're voting on today. Instead of devastating families hit hard already by a sluggish economy, we've softened the blow. But if I have a concern about this package and the package that the Governor submitted - in requesting that the Legislature cut or give him an additional three-hundred-and-fifty-million-dollars' ability to deal with our budget woes - is that it's not high enough. By anyone's count, based on the budget information we have today, what we're doing today should go deeper. I applaud the Governor for putting forward a plan to borrow to get long overdue bills paid. That five hundred million will at least make a very positive dent; but

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with six hundred million dollars' worth of Medicaid bills sitting on the Comptroller's desk unpaid today, and an untold amount sitting in the Department of Public Aid, coupled with the four hundred million of other bills sitting on her desk unpaid today, when you add the two hundred and thirty-five million dollars that the Governor has said will be needed in additional spending pressures, and the two hundred and eighty-five million dollars that he identified as a budget revenue shortfall, and the hundred million dollars that the Economic and Fiscal Commission said last week will be an added budget shortfall, I say the numbers don't add up. The three hundred and fifty million dollars' authority that the Governor has asked for, coupled with the five hundred million dollars that he proposes to borrow, simply does not add up. Eight hundred and fifty million dollars does not begin to address the depth of the fiscal crisis in the State of Illinois. And I hope when the Governor returns in April to give this State and this Legislature a budget message, he tells the people the truth. I think all of us are prepared to make the tough decisions. This Conference Committee is a step forward in doing what we must do to tighten our own belts; but it's only a beginning. And I hope we make much greater progress when we return in April and May and June to do our duty. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have Collins, Brookins, del Valle. . . Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and Members of the Senate. Unlike my other colleagues that have spoken before me, I rise with no reluctance in total opposition to this budget. I can appreciate the time that have been spent by the conferees and by Senator Rock and the other leaders in this Chamber, and even the Governor, in trying to come up with what they perceive - and I have to say what

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they perceive - as a solution to this problem. I think all of us recognize the reality of the fiscal circumstances of our State. But some of us also recognize that quick fixes and funny money is not going to solve our problem. The uncertainty of the medical providers out there, right now, is having a profound effect on the availability of essential medical services to the citizens of the State of Illinois. A good example of what I'm talking about in this bill is how we purport to pay back the money that we are borrowing to pay off some of the medical bills. If the five hundred million dollars was all that we owed, I could say let's take a chance at it. But the reality is that we owe almost a billion dollars. And to say that we are going to take the money from the newly created Assessment Fund - that's pretty dangerous. And we're saying to the medical providers out there that "Now we cannot pay you unless you pay us to pay you, and then we will pay off the bond indebtedness from the money that you pay us." Something is seriously wrong with that. What are we going to do for the rest of this fiscal year? What are we going to do about paying off that other five hundred million dollars that we owe - just to the medical providers? We will be right back here, soon as this primary election is over, before this fiscal year - I will lay odds - to have to try and address this problem again. I believe that we should cut government spending. There is an awful lot of waste in -- in this budget, in the State of Illinois. And we have to tighten our belts, but not at the expense of the poor in this State. And that's what is happening to mentality across this country. We will get rid of human services and welfare by cutting it out and providing no options and no alternative for people to become self-sufficient. It's time out for us doing that. We have to bite the bullet. We have to be responsible. We have to reduce government spending. Even in this budget with all of the cuts, there's some areas here that are sacred. Contractual

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services. We could have found more money to cut there, rather than to cut eleven dollars out of a General Assistance check, which is vitally important to that person being able to maintain that one room. And we're talking about homeless people, which are going to pay an even greater price. To reduce those checks from a hundred and sixty-five dollars to a hundred and fifty-four is meaningless to -- to the whole scheme of things; but it's most important to those people who have to suffer and pay the consequences. We could have taken the money from the Illinois Arts Council. Why not? It's a sacred cow. Another five million dollars we could have taken. And at least it would have made up for the difference of that eleven dollars that these people are going to be on the streets. That's what we're talking about - getting our priorities in order. There is something like a hundred and some agencies with about five hundred different funding sources that we pay out of the State budget. Unnecessary. Duplication of services. Some agencies deal with the same subject matter five, six and seven different agents and boards and commissions. That is ludicrous. We need to seriously look at scaling down State government, but not at the expense of the poor. And then - and only then - we need to look at reviving the tax structure in this State, so that the rich can carry, for the first time, their responsibility of the taxes, and relieve the burden off the poor and the middle class in this State. Then we will come up with a meaningful solution to this problem. But until we are willing to face that responsibility, we will keep on having this problem; we will keep on coming back here with quick fixes; and we will keep on saying this is the only thing to do - yes, it's the only thing to do. But I'm too -- I'm too reminded of a proverb. It is better to -- to fail at attempting to do good than to do nothing and succeed. And I submit to you, this is about nothing.

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PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

I, too, rise in opposition to this Conference Committee Report. I think it is ill-advised. I think it is terrible. It is horrible. I think that we just need to be truthful, and step to the plate and take our swings. We know, as we look at this, in less than two months we will be back here in the same position that we here -- we are here now. We're going to cut at the Department of Aging - mean that we are going to have senior citizens again eating dog food and cat food. We're going to cut their circuit breakers. We're even going to suspend funeral service and burial for Public Aid recipients. We're going to say, "Hey, you don't need to bury your loved ones; just let them lay there." I don't think this is right. I know it's not right. And I know that it will not solve our problems. Ladies and Gentlemen, let's not go with the hocus-pocus and the -- and the -- and the smoked mirrors. We know that the only way to solve a problem when you need additional money is to get additional income from somewhere. If we compare this to your home - what do you do? Yes, you cut. You cut out the fringes and the frills, but yet you go get a part-time job or you get more income coming into your house. It's simple as that. We can skirt it. I know it's election time. I'm standing for election as well as you are; but I am going to take my turn at bat. The only way is for us to bring additional revenue into the State coffers. And the only way you do that is through tax increases - tax increases - tax increases. And I understand, and I know, that our constituency is smart enough to understand that that's what we have to do. We can't cut our way out of it. It's impossible. And I don't know of any politician, or any elected official, that locks himself into a position that he can't get out of. I don't know anyone to

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stand and holler, "Read my lips," and I don't have no way out of reading my lips. And I don't think the Governor should stand there and holler read his lips, because he's going to have to take his swing at the bat, and he's going to have to eventually call for a tax increase, and you are going to eventually have to vote it. We cannot be heartless. Last summer one of my colleagues talked about a friendly Illinois, and how nice it is to travel in Illinois. Illinois is not a mean state. It is not a friendly state. It's going to be mean to those that need us the most. I cannot vote for this. I urge my colleagues to reject this. This is not a good bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. I also appreciate the hard work that has gone into putting this Conference Committee Report together. And I hear that it is the best that we can do; but I've heard that before. We keep saying that what we came -- come up with in this Body is the best that we can do. But are we really doing the best that we can do? I say to you that we're not. And we won't be doing the best that we can do, and we won't be providing leadership, which is what our constituency expects from us - both from the Legislative Body, as well as from the Executive Branch. We won't be providing the kind of leadership that is necessary until we're ready to make the kinds of drastic changes that are needed in our tax structure. It is time for us to really begin to act on moving towards a graduated income tax in the State of Illinois that is going to produce additional revenue, for us to be able to at least provide for the basic needs of our citizens in the State of Illinois. But that would require leadership. But instead of leadership, what we have is avoidance. We all continue to be guilty of avoidance. Avoidance in the hope that tomorrow

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will be better - tomorrow the recession will begin to go away. But I say to you that even when the recession begins to go away, we will still not have enough revenues to do the kinds of things that need to be done. This package that we're going to vote on today - and that I'm going to vote no on - is a package that contains cuts that come on top of cuts just before other cuts will be considered at the end of this Session. And it's a package that will produce the kinds of numbers in our budgets that will serve as a base for the many budgets that will be considered for FY'93. When are we going to make the tough decisions around here? When are we going to do what is responsible? Certainly, we're not going to do it today. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jerome Joyce. We have Senators Joyce, Jones, Palmer, Welch, Rock, Geo-Karis. Senator Jerome Joyce.

SENATOR J.J. JOYCE:

Thank you, Mr. President. Well, I want to point out a few things here that we're doing that, for you downstaters, is not only cutting welfare, that everybody wants to go back and talk about in their districts, but we have a Governor now who -- who is a real Republican, and he's following in the footsteps of Reagan and Bush. And -- my seatmate said Hoover. And talking about cuts that are going to hurt downstate Illinois - rural Illinois. We went home after the last Session and found out that our downstate school districts had missed a payment and they're not going to get that back. We just found that out for sure, because the Governor vetoed Senate Bill 708 that said if we had the money, we'd pay it back. And he wasn't satisfied with that. So we're dealing now with the -- more cuts to school districts downstate - and if you know anything about school districts downstate, you'll have a high school in one community and you'll have some satellite grade

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schools in other communities. They've consolidated down to that point. That's so that the elementary kids don't have to get on a bus and ride for an hour and a half. With this latest cut we're very nearly on the verge of shutting down those satellite grade schools - those elementary schools. I don't want to do that for a lot of reasons - I don't want those kids to ride the bus that long; I don't want that town -- once you've closed that school in any downstate rural town, you take the viability right out of that town. Next goes the grocery store and the gas station and the rest of it. And it's a ghost town. Well, we've seen the policies coming out of Washington the last few years really hurt those towns. We don't have implement dealers in them anymore. We don't have car dealers. The banks are gone and closing. And we do that to the schools, we're going to have the same thing there. It's just going to dry up that town and it's going to blow away. Another thing - a small thing. Just a small thing. We're taking a couple of hundred thousand dollars out of the Agriculture budget. Now that doesn't look like much, but it's for meat inspectors. Now everybody says, "Well, that isn't a big deal." However it is a big deal, because every one of you downstaters have four or five locker plants in your district. You know what those meat inspectors do? They have to be there when the -- the locker people kill their -- their livestock on those certain days. If they're not there, they can't do it. Now if we cut that in half, where they're there only half as much as they were before, we're going to cut down the number of kill days. Those businesses are going to go out of business. And they employ ten or twelve people with -- with very good jobs. So we're talking about another thing that's going to just cause problems for rural Illinois. So there's more to this than just cutting welfare, folks. And -- and so when you put out your press releases and say, "Well, I voted to cut welfare" - you're voting to cut a lot

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of things that downstate Illinois cannot afford to lose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jones.

SENATOR JONES:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Jones.

SENATOR JONES:

Yeah. Senator Carroll, incorporated in this bill is some language as relate to the Community Care Program for the elderly from Department of Aging. Now I noticed at our JCAR meeting earlier this month, they voted unanimously bipartisan to veto that proposed rule - emergency rule - because it would have caused hardship on many elderly throughout the State. Now you have some language in here that exempt -- exempted this emergency budget program from the Emergency Rule Act. Could you explain that and let me know how it impacted on the action that we took -- a couple of weeks ago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Yes, Senator Jones, as you'll recall, the Department came before JCAR for the emergency rules, which you rejected - as you so well pointed out. The Governor, in his proposed cuts of three hundred and fifty million, would have reversed all of the actions of JCAR by taking those programs of chore housekeeping, and -- and home-delivered meals, and other type of assistance to the elderly, and eliminating those programs. One of the things that - when we found the revenue that he accepted - that we were able to do, was to blunt the impact by keeping about half of those services for the remainder of this fiscal year, so that the language in the Act says, "as to that

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which, by this action, we allow him to cut." Then, of course, the rules would not apply that -- that preexisted, and they could, in fact, make those reductions. But as to that which we have said he cannot cut, then they cannot overrule JCAR on those. So the power in the bill is limited by the numbers that are in the bill as to what he can cut from what programs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Well, as I read our staff analysis, it says, "It gives broad authority to the Governor's intent to reduce community-based programs," which include nutrition and in-home care services. And this is not for a response necessarily, but to speak in opposition to this. Because what you are doing is, when you reduce those services for the elderly - those in-home services - you are forcing those persons who need those services to go into nursing homes. And the cost for one elderly person to go in a nursing home far exceed the cost for the in-home service care. So it's really counterproductive. You're going to increase the cost of the State by forcing these people to go into nursing homes, at the same time you're talking about you're saving money. You're not really saving any money. I -- if the Governor was intent - intent - on not balancing the budget on the backs of the poor people and the elderly across this State, then he would have accepted Senate Joint-Resolution 107. It would have froze the hiring in this State. It would have cut down on all these big patronage contractual services that he give out on contracts. Then you would not have the problem of dealing with the elderly as we are in this particular bill. If you're talking about tightening the belt - well, don't tighten the belt around those persons who can least protect themselves, because you're only tightening the belt around their neck. And that's what you're doing. As -- as relate

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to the GA person, that eleven dollars per person may mean the difference as to whether that person stays outside in the cold and freeze to death or live in a home. This budget is not in the best interest of the people of this State. We need good sound statesmanlike leadership on the 2nd Floor. The Governor is not providing that leadership. You know it; and all of us know it. Because in May and June, we're going to be in the same fix that we were in before. All of those promises that you made, Governor Edgar, you know you cannot live up to them. Come forth and be honest with the people of the State of Illinois, and stop giving out all those patronage contracts consulting by the millions of dollars, because all you're doing is hurting the people of the State of Illinois. I know -- I know this ship is ready to hit the waters. And I know many of my colleagues -- I can tell by the statements that they've made that they are already chained to the oars. They are chained to the oars and they're going to row it out there with all these helpless people on it. But I beg you - I beg you - think about the people of the State of Illinois and reject this Conference Committee Report, because it's not in their best interests.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? We have Senators Palmer, Welch, Geo-Karis, Schaffer, Alexander and Jacobs. Senator Palmer.

SENATOR PALMER:

... Thank you, Mr. President and Members of the Senate Chamber. I think it has been eloquently described - the consequences to the poor that these cuts will have. It is, needless to say, a shortsighted approach to government. I want us to think, however, of the residual impacts that such cuts would have on working people. For every project that you cut, you are also cutting those who carry out the work on behalf of that project and that program and that agency. In the short time that I have been here

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in this Senate, it seems to me that that is about all that we have been asked to act upon. And just as Senator Jones said, I invite the Governor - encourage him - for once to provide the leadership and to present us with a proactive, not a reactive, but a creative plan, for putting people to work, for educating youth, for providing accessible, affordable health and housing. I have asked the Bureau of the Budget - and I want to say it publicly - for an impact study to show us the consequences of the cuts that were already made in the last Session in the spring. I have not received that yet; I'm sure I will. At this time the calls that are coming into my office are not just from my district, but from other districts. Stories of people on the northwest side of Chicago who are now having to live out of fear on roofs, in trees - if you think this is funny, I'll give you the name of the person who told me the story. I want to remind us that in the 1960s a major report by a former Governor of the State of Illinois - Dan Walker - said that there would be two Americas - a rich America and a poor America. Unfortunately, we have already reached that point; and without the kind of creative and leadership that we need, we will make that even more in stone. I am not going to vote for this, even though it's very painful - because I would like for the schools to get that access to the thirteen million. But I will not vote for it, because the consequences are too horrendous. Thank you.

---PRESIDING-OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President, Ladies and Gentlemen. The Governor's address to us just a few weeks ago -- he urged us to stay the course - and I agree with him. But I believe that the course we should follow is the one that he set forth himself during his electoral campaign for Governor, when he sought to be

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the educational Governor for the State of Illinois. Everyone here, including the Governor on the 2nd Floor, has at some time during a campaign said that education is our number one priority. But what course have we taken in just this last year? Last June we cut education, by delaying their payment, by one hundred and seventy-six million dollars. And they are not going to get that money back. We all know that. Today, we're asked to cut education by over one hundred million dollars; and there's no promise that they will ever get that back, either. We have failed to stay the course for education. Many of us face election this year, but we must look beyond this coming election. We should not trade the long-term educational well-being of our children for short-term electoral gains, which is what we will be doing by passing this bill. The cut to the School Aid Formula is particularly offensive to me, because what it does is it cuts those schools who are most reliant on the School Aid Formula - the poor schools more than the rich schools. More than the flat grant schools. So what happens is, the schools that need the money most get cut the most. It reminds me of something that William Shakespeare wrote. And what he wrote in Julius Caesar was something that Mark Anthony said when a group of Senators assassinated Julius Caesar, and what he said was of a particular cut by one of the best friends of Caesar who was something akin to what we are doing to education today. What Mark Anthony said was, "This is the unkindest cut of all." And I think that what we do today to the School Aid Formula fits that bill. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I move the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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All right. Senator Geo-Karis, we have Senators Schaffer, Alexander, Jacobs, Maitland and Rock. And so -- Senator Schaffer.

SENATOR SCHAFFER:

I don't think there's anyone here that's happy about being in Session today, and voting on this bill, and the reductions. Frankly, there's some parts of this compromise that many of us view with alarm. I, for one, am very concerned about the pension implications enamored in this bill, the raid on the Road Fund - both State and local - is a precedent that I don't think any of us ought to be very happy about; but it is, in the final analysis, a compromise. And a compromise is - at least in the Legislature - is something perhaps that nobody is going to like totally. And clearly, this is one of those bills. I think one thing we have to put on the record is that we are responding to the will of the people of this State. And that Governor - who has been somewhat maligned by my friends on the other side of the aisle - is clearly responding to the will of the people of this State. I would respectfully remind you there was another candidate running in the gubernatorial race - not of my faith - who was for the elimination of the surcharge, which would have put us some seven hundred and fifty or eight hundred million further in the hole. That would have been a situation I think we all realize would have been disastrous. This Governor made some promises, and maybe people are still surprised that he's keeping them, and he's sticking to his guns. -- Maybe that's why he's doing so well in the popular opinion polls. Maybe it's time for this State and this country, perhaps, to have some elected officials who keep their promises and respond to the will of the people. Clearly, the message I get from my constituency is, "Hold the line on spending; this is no time to raise taxes. Prioritize, spend the money where it's needed the most; but don't raise taxes." I would suggest to you that the conferees on both sides of the aisle should be commended, even

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though there's parts in this thing that we all don't like, because I think they have, and I think this Body - and I hope the other Body - and the Governor certainly has, responded to the will of the people of Illinois, who are saying at this point in the history of this State, "We don't want any additional taxes. Do your job, set priorities, live within your means." And that's what we're going to do today, and I urge everyone to support this roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Alexander.

SENATOR ALEXANDER:

You know, there is -- to my fellow colleagues here in this Assembly: There is a book that I read religiously where it speaks about a widow two thousand years ago who rose one morning and prepared to die because there was no meal in the barrel. She had two sons, and as she pondered whether to prepare the meal in the crude oil, a prophet came on the scene and said, "Make for me a cake, and as long as you do so, there will be meal in the barrel." She followed that leadership - if you want to use - instruction, and she and her sons survived and lived. Poverty and needs are not new to anyone. I can recall my family being on General Assistance and me standing in the middle of the street in the City of Chicago and watching them kick off boxes of food so that we could survive and eat. Survive we did. But there was a time when we would extend to each other a helping hand. That time seems to have gone; it's no longer out there. It also tells me in this book that I read, that in order to be a good leader, you must be a servant. You must be underneath those whom you serve; then you are a good leader. Somehow or another, I do not see how some of these leadership positions relate to our present situation here with our Governor. He has chosen to place upon those who are most in need, more problems. And those of us who have been blessed -

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and I use that word most emphatically - who could afford to, if we wanted to, support a income tax increase. Yes, cuts may have to be made, but not as we're making them here. Those of us who claim we are leaders are really not trying to be leaders, when we sit here and impose upon those people across the State - not Chicago alone - these cuts. I cannot support it. I know I may be hurting education, but I cannot support this piece of legislation, as it is presently written. I will support an income tax increase.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. We'll -- we'll keep it pretty brief, if that's all right with you. First of all, let me just say that -- that I find myself a little bit of an awkward position, because on this side of the aisle it may sound like maybe, in this particular moment, I should be on the other side of the aisle, because I think that we've heard a lot of discussion here today about a potential income tax increase, or let's ask for more of an income tax increase. We just had one. And that didn't take care of our problems. Also, we waited until June 48th to -- to do a lot of good things in order to make this thing all work. Here we are on January 21 - it didn't work either. The problem that I see that we've got, and it's -- it's the issue -- I think Penny Severns said it probably as well as anyone could. And in her argument she said, "We're still not paying all of our bills." And we're not. And I think we should know that, and I think we should be fair to our providers. We should let the pharmacists know that they're probably not going to get paid. We should let them know that. I don't know if we're willing to do that. But I think more importantly than anything else - and I hate to agree with the good Senator on the other side of the aisle, Schaffer, who is a candidate for congress; maybe I'm giving him fodder, but

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I agree - what I'm hearing from my constituents, very simply, are three things, and that basically is to reduce spending and to prioritize in the right direction. I'm not sure if this particular action that we're taking today does that. I'm not sure if that's the case. They're also telling me, "Don't raise the taxes." And I believe that's what they honestly feel. And more importantly, they're saying, "Keep a reasonable level - a reasonable level - of public service." And I think we're doing that with this legislation. Do I like this legislation? Do I like this bill? Hell, no. No, I don't. But is there a better show in town? No, there's not. And therefore, I plan on -- on supporting this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. This is the day, I guess, to quote from two of our favorite books, and I guess -- a quote that I like by Dickens, "It was the best of times; and it was the worst of times." And I think that truly demonstrates what we have here today. There was a lot of work put into this effort last week and again this morning. And there are good things in this legislation, and there are bad things in this legislation. Indeed, the nursing homes and hospitals will be paid up sooner, and brought back to the sixty-day cycle sooner than they would have been under the original legislation passed last spring. And, Senator Jacobs, to say that pharmacists aren't going to benefit some in this, simply is not quite a true statement. 'Cause we believe - we believe - that eliminating these cash flow concerns right now, we will be able to speed their payments up. So I don't want to see us leave today with the impression that they're not going to narrow their payment cycle any at all, because we believe, indeed, they will. The comment has been made

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about education, and no one stands on this Floor and speaks for increased funding of education any more than I do. And I don't like what we're doing, either, to elementary and secondary or higher, because it's tough and it's wrong. But let's call a spade a spade, Senator Joyce - and others who commented about the delay in State aid. We have made a commitment. We have made a commitment - Republican and Democrat, House and Senate, and the Governor's Office - that those school districts that had that money built into their budget - and they did - will receive the one hundred and seventy-six million dollars - albeit twenty days late; but they'll receive it. That's a commitment. It comes in the next fiscal year. Superintendents, Senator Joyce, are now beginning to understand what we were trying to say to them. Some, perhaps in your district, haven't understood that yet; but in fact, that's the way it's going to be. Mr. President, Section 253 of the bill addresses an issue that is of concern to a number in this Chamber, and I want to make sure that we understand that when we gave the authority to the Chicago Finance Authority - School Finance Authority - to maintain a hundred-and-fifty-million-dollar balance back in 1980, that's what they were supposed to do. They believe that they need the statutory authority to take that below that number. We are giving them that authority tonight to take it down in the amount that the school district, City of Chicago 299, is losing in all the cuts that we are making here. I want it made very clear that this is a one-time action. They do not have to pay the money back. And when we turn the corner into the next fiscal year, that fund balance requirement goes back to a hundred and fifty million dollars. Mr. President, this is the work of Republicans and Democrats, both sides of the Rotunda, working hard to do what has to be done. I urge the Body's support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. We have one remaining speaker

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and then Senator Carroll may close. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is perhaps one of the most literate discussions we have been engaged in lo, these many years, or at least one with the most literary allusions. And I would suggest that in December the Governor called the Legislative Leaders together and said, "The numbers aren't right." What we did in July simply will not work, because the revenue is not as projected, primarily because of a recession - a national recession - over which, frankly, we have no control. So I don't suggest that there's blame to be placed anywhere. But the fact is, the hard number was about two hundred and thirty-five million dollars short of where we had projected we would be, given the decrease in sales and income tax. And so, I'm happy to say, the leaders said, "We'll try to help, obviously." And I immediately marched out and said, "We've got to have more income. We need more revenue." And that went nowhere, frankly. As a matter of fact, all of you who joined us at the Governor's joint address saw the Republican side of the aisle rise as one and clap mightily when the Governor said no new taxes. And I politically understand that. And so I said, "It's off the table; we can't do it." As much as it ought to be done perhaps, it simply will not be done. So let's take this lemon - if I may use a cliché - and make lemonade. And what we said was, "We're not going to stand for the three hundred and fifty million dollars' worth of cuts as proposed, because it will inflict some pain that is needless, that is not caring, that does not have any compassion. And we in Illinois, frankly, don't do that. And we ought not start." They do it in other states. And all you have to do is watch television or -- or read the national media, and you'll find out they do it in Michigan, and they do it in California, they do it in Ohio, and I dare say they'll be doing it

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in other places. "We ought not do that here," is what we said. And so we'll try to accommodate; but we've got a modification. Recognizing, unfortunately, that Illinois now has an extremely high percentage of unemployed; recognizing that since July of this year this State has lost some four hundred thousand jobs. We're simply politically not in the position to raise taxes. I said early on, "Borrow some money, please. Do not let the vendors on whom we rely, almost exclusively -- do not let them - do not suffer them - to carry the State's burden on their back. It's our burden; we ought to carry it." And we can borrow money at a lower interest rate than they can, if they can borrow at all. That's the hospitals, and the pharmacists, and the nursing homes - all of whom we have literally driven to the wall, I'm sorry to say. Not deliberately. But the fact is they're at the wall and need some relief. Senate Bill 424 contains that relief. Albeit, temporary. And albeit, less than enough; but it does contain that relief. The Governor has assured us that upon our approval and his approval, the money will be in their hand by March 1st. Long overdue money in their hand - by March 1st. Virtually all of you were out this weekend in the precincts of our great State, in one county or another, one ward or another, one township or another, and you talked to the people. The people are hurting. They want something done. They do not wish to pay more taxes. The people have a right to be well-represented, and all of you do it. What we have to do now is represent the people that we stand for. There are some among us who have to vote No - understandably. I would ask those who can, as I will, to vote Aye. This is an important vote - a very difficult one, but nonetheless important. Those of you who can, please vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, Senator Carroll may close.

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SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Just a brief comment, Senator Demuzio. I admit I saw the Dead Sea Scrolls before I saw the figures from the Bureau of the Budget. And I think as President Rock has indicated, this wasn't truly unforeseen - that's why we asked in November. Why, in fact, that's why we asked last April that the State borrow six hundred million dollars to pay these various vendors, particularly those with hospitals and nursing homes. Because if they do not survive, where's the safety network that keeps Illinois citizens alive and healthy and thriving? As the President said - and I think in response to some of those others who correctly identified problems that we are now experiencing and that this bill does not solve - when we saw the magnitude, though late - you know, meetings in December with the Bureau saying the problem was not that bad - when we saw them, we recognized our responsibility - raise revenue or cut spending. As the President pointed out, he led the charge for the revenue-raising approach, which went nowhere. We then suggested that there were a series of items that should not be cut, or at least not anywhere near as drastic as the Governor was proposing. We did not want education touched at all, and showed a revenue stream. We did not want those who pay tuition for special education for severely and profoundly retarded and handicapped to lose that, and have these kids wanting - not getting an education from Illinois. We did not want seniors who have meals delivered to them, or chore housekeeping services -- to keep them out of nursing homes. And a much more expensive option, if they went in nursing homes. To suddenly lose those services - a morally wrong decision and a financially wrong decision. We did not want to take any money away from our seniors on the property tax circuit breaker relief. We did not want to end the -- the shelters for battered women. And on, and on, and on. And I think responsibly,

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we said to the Governor, "Here's a menu of items that will save this whole list, and here's the way to pay for them. We didn't come in and say, "This is what we must save," and not show where the money was. But in the course of negotiations, you do win some and you do lose some. We felt the burden should be more equal across all agencies. The Governor disagreed, and said, "Here's some that cannot take those kind of hits - if you want to call it that." We felt there could be certain freezes, or that we each take a one-day furlough. Governor said the union agreement didn't allow that. So be it. So I think we did as best we could with what we could get agreement on for replacement of revenue, and save some funds for schools in Illinois, and our seniors, and those most in need, and AFDC, and aged, blind and disabled - to keep those whole. Is it enough to save? No. No way. But it's all that we could do. Because of a recession, our income is down and our spendings our up - out of our personal controls. I think this is the very best we could negotiate. Not the best that we could do; but the best that we could all agree on. And I would urge adoption of the Report.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 424. Those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wish? All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 37 Ayes, 15 Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 424, and the bill, having received the required constitutional majority, is declared passed. On Supplemental Calendar No. 3, there is a Conference Committee Report with respect to Senate Bill 133. Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 133.

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END OF TAPE

TAPE 2

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 133 contains those federal funds, particularly those in the area of Employment Security, and some other specific funds in Commerce and Community Affairs, and Criminal Justice, and yes, the Arts Council, that would be available from the Federal Government, that we would lose if we do not pass the legislation today to keep those special trust funds particularly active in the area of Employment Security. And I would urge adoption of Conference Committee Report No. 1.

PRESIDENT ROCK:

Is there any discussion on the Conference Committee Report on Senate Bill 133? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 133. Those in favor will vote Aye. Opposed, vote Nay. And the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, no Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 133, and the bill, having received the required constitutional majority, is declared passed. All right. Ladies and Gentlemen, with leave of the Body, we're going to now move to the regular Calendar. If I can turn your attention to the regular Calendar. We'll begin on page 2. On the Order of House Bills 3rd Reading, we have a bill at the top of the page and a bill at the bottom of the page. Page 2 on the Calendar. Both

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bills are to be amended. Everybody got it? Page 2. On the Order of House Bills 3rd Reading, Madam Secretary, is House Bill 185. Senator Carroll seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 185, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Weaver.

PRESIDENT ROCK:

Senator Weaver, on Amendment No. 2.

SENATOR WEAVER:

Thank you, Mr. President. May I ask how many amendments have been filed on this? Three amendments?

PRESIDENT ROCK:

Three amendments, it appears, Senator Weaver.

SENATOR WEAVER:

I understand that my amendment has been talked about but rejected; that Senator Carroll has another amendment. So reluctantly, I would ask to withdraw Amendment No. 1. I think we're making a mistake, but reluctantly, I'd withdraw.

PRESIDENT ROCK:

Your reluctance is noted. Withdraw the amendment. Amendments, Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senators Carroll and Weaver.

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Out of return courtesy, I will reluctantly withdraw Amendment No. 2.

PRESIDENT ROCK:

Amendment No. 2 is withdrawn. Further amendments? Now, we're

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back -- those amendments have withdrawn; they have no numbers. So what's the number of this amendment?

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Carroll.

PRESIDENT ROCK:

Amendment No. 2. Senator Carroll.

SENATOR CARROLL:

Thank you. That's the one that -- that ends with -- Madam Secretary, am03?

PRESIDENT ROCK:

Copies of the amendment have been distributed.

SENATOR CARROLL:

Okay.

PRESIDENT ROCK:

Copies of the amendment have been distributed, I am told.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the General Bond Authorization Act. This would be the amendments thereto. It would permit the Office of the Governor to refinance bonds - that had been issued before at a much higher interest rate - now, so that we can take advantage of the lower interest rate. It'll be a total authorization increase of 431.65 million dollars - 81.65 of which were capital projects we approved prior to adjourning in July that did not have bond authority to go ahead with that work, and the remaining three hundred and fifty million is for the -- to capture this lower interest rate to allow for refinancing. I would urge adoption of Amendment No. 2.

PRESIDENT ROCK:

Senator Carroll has moved the adoption of Amendment No. 2 to House Bill 185. Discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's

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adopted. Are there further amendments?

SECRETARY HAWKER:

No further amendments.

PRESIDENT ROCK:

3rd Reading. And with leave of the Body, we will get right back to that bill after intervening business. Bottom of page 2, on the Order of House Bills 3rd Reading, is House Bill 969. Senator Jones seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 969. Madam Secretary.

SECRETARY HAWKER:

Amendment No. 2 offered by Senator Jones.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Amendment No. 2 to House Bill 969 deletes everything after the enacting clause. It raises the minimum benefit for the Chicago police annuitants from four seventy-five to six-fifty, and the widow's annuity from four hundred to five hundred dollars per month. It raises the minimum retirement annuity for Chicago firefighters from four seventy-five to six-fifty, and for widows, from four hundred to five hundred dollars per month. It -- the State mandate exemption is in here, and this is agreed to by the City of Chicago. And I ask for the adoption of this amendment.

PRESIDENT ROCK:

Senator Jones has moved the adoption of Amendment No. 2 to House Bill 969. Is there any discussion? If not, all in favor, indicate by saying Aye. All opposed. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HAWKER:

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No further amendments.

PRESIDENT ROCK:

3rd Reading. And with leave of the Body, we will get back to that, virtually immediately. Senator Carroll, are you ready? Top of page 2, Ladies and Gentlemen. On the Order of House Bills 3rd Reading is House Bill 185. Read the bill, Madam Secretary, please.

SECRETARY HAWKER:

House Bill 185.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDENT ROCK:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the Bond Authorization Act that we just spoke about, increasing the -- authorization some four hundred thirty-one million six hundred fifty thousand - three hundred and fifty million of which is for the refinancing. Let me just add to that one more item that was also -- two items that are in the amendment we had just adopted. One would allow a single sale to be larger than that which we used to give them a limit on - which was two hundred and fifty million - so that we can, in fact, refinance the three hundred and fifty millions. The other item was a issue raised by the administration concerning which account they can use for paying certain leases of -- lease purchases of land and building, as well as they have been doing with equipment like phones and computers. Bond houses raised certain questions. The Comptroller's Office raised other questions. This would clarify that the - and not jeopardize those bond issues already outstanding - that the contractual account, which would be the normal rent account, could be used for that purpose. And we are

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going to request that in the future all agencies report to us separately on what those amounts are for lease purchase, to be consistent with the wishes of the Comptroller in being able to track those as if they were a capital improvement, rather than rent. With that, I'd be willing to answer any questions, and ask for a favorable roll call on House Bill 185.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Leverenz.

SENATOR LEVERENZ:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR LEVERENZ:

You said yes; he said no. Could you -- on page 2 of now the -- of the amendment - in that which you just addressed on expenditures pursuant to multi-year lease, lease-purchase or installment purchase contracts - did that give the State the ability to prepay any leasehold improvements?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

If I can answer correctly - and again, this was a request from the administration that we accommodate them in this bill, not our creation - the issue of prepayment did not come up in the discussion. I think that is handled lease-by-lease or lease-purchase contract-by-lease-purchase contract. The issue, as I understand it, was whether or not a lease-purchase is a lease so that you can take the money out of contractual services. The Comptroller thought, for tracking purposes, it should be in some kind of capital improvement account. The bonds were sold as if payments would come out of contractual services, some of these issues being ten years old - I think it's the one in Galesburg.

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And so the point was, to accommodate the Comptroller, we will in the future have a tracking method, but to clarify for -- so that the bonds are not declared in default, they can use contractual services to pay them. The issue of prepayment isn't addressed by this at all, to the best of my knowledge.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further questions? Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR DeANGELIS:

Senator Carroll, could you please explain to me what the refunding amount is and the new authorization is, in this bill, of the General Obligation Bonds?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

The purpose - the refinancing side, if that's what you're asking - we are giving authority by increased authorization for three hundred fifty million dollars' additional authority in order to do refinancing. What happened, Senator DeAngelis, which may make it a little confusing - two other things. The balance - that between three fifty and the four thirty-one - is the capital amounts we approved in the budget that ended in July for which there was not an authority spread so that they could go out and sell those bonds. We approved more than eighty-one, but there was some cushion built in. When the bonds were issued, that used up the authority. By paying them off, it doesn't reinstitute a pre-existing statutory authority. So we've got to authorize new bonds in order to refinance. It sounds confusing, but it's a constant adding. When you pay off a bond, it doesn't open up an

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authority. Okay? The authority is only when you sell it. So this would allow three hundred and fifty million dollars of refinancing by increasing the authority line for that purpose.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator DeAngelis.

SENATOR DeANGELIS:

In simple language -- in simple language, the advanced refunding is counted as if it were a new issuance. The amount that is reduced is counted as old issuance, and the hundred and fifty million is added to it -- or roughly, a hundred eighty million.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Carroll.

SENATOR CARROLL:

There is some authorization still out there on which bonds were not issued. That, plus the three-fifty, would allow them to refinance four hundredish million. But in simple language, you're right. Once a bond was issued, you've used up that authority. When it's paid off, it doesn't give you the authority over again; it's over with. So if you want to pay it off by refinancing, you've got to give new authority.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Any further questions? If not, Senator Carroll, to close. All right. The question is, shall House Bill 185 pass. Those in favor will vote Aye. Opposed, vote Nay. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, and none voting Nay, and none voting Present. House Bill 185, having received the required constitutional majority, is declared passed. Now, bottom of page 2, House Bill 969. Senator Jones. Madam Secretary, would you read the bill.

SECRETARY HAWKER:

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House Bill 969.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Yes. Thank you, Mr. President. House Bill 969, as amended, as was previously explained, raises the minimum benefit for Chicago Police annuitants and widows, and also raises the minimum retirement annuity for Chicago firefighters and widows. That's all that's in the bill, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? If not, the question is, shall House Bill 969 pass. Those in favor, vote Aye. Opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 1 Nay and 2 voting Present. House Bill 969, having received the required constitutional majority, is declared passed. Conference Committee Reports, on page 6. House Bill 1972. Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. I move that the Senate adopt the First Conference Committee on House Bill 1972. The bill is a catchall bill. It deals with many different Acts. It amends the Illinois Horse Racing Act as it relate to the fund distribution, and also the Illinois Municipal Code. And what the bill does is permit villages who conduct partisan elections prior to 1/1/92 to continue to do so without referendum. It repeals the Statute provision which prohibits imposition of a new municipal tax in enterprise zones. It changes the date of the report of the Senate-House Revenue Committee to the GA from 12/31/91 to 12/31/92, and restores municipal and county control over local

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enterprise zones sales tax exemptions. I ask for a favorable vote on the Conference Committee Report.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 1972. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 1 and 1 voting Present. Senate -- the Senate does adopt the Conference Committee Report on House Bill 1972, and the bill, having received the required constitutional majority, is declared passed. Senate Bill 697, on the same page. Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President, Members of the -- of the Senate. I move the Senate adopt the Second Conference Committee Report on Senate Bill 697. And what it does is, upon cancellation of a financially insured contract, the return premium must be mailed to the premium finance company within sixty days, rather than thirty days. And a premium finance agreement may be signed on behalf of the name insured. The specific insurance coverage financed is an example of a condition of agreement that must be disclosed to the insured by receipt date of the first premium payment. That's all that it does, and I ask for a favorable vote on this Conference Committee Report.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he'll yield.

SENATOR SCHUNEMAN:

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Senator, I -- as I understand this bill, it deals with the Premium Finance Act, and one of the provisions here is that return premiums do not have to be paid thirty days after cancellation, but could be paid sixty days. And I understand why that would be included. The one provision I don't understand that's in here seems to be the one that would allow an agent - an insurance agent - to sign the name of an insured to a premium finance agreement. That's -- that's tantamount to -- it seems to me, to allow -- allowing someone else to sign your note. And could you explain to me why we, as a Legislature, should do that?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

This language, Senator Schuneman, as you are well aware of, is language that was agreed and worked out with the industry and the Department of Insurance. And this is what they came up with. And if one enter into a contract, be it by telephone solicitation, then that person if that -- if need be, can have those premiums financed. And this is why the agreement was worked out between the Department who regulate the industry and those who wanted it in there.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

No, Senator, that wasn't my question. My question is, why should we, as the Legislature, charged with a responsibility of protecting the interests of people in Illinois, allow insurance agents to sign a promissory note - in effect, a promissory note - to pay the premium on a policy without the signature of the insured, who has to pay that premium? It seems to me that that's -- that's a step in the wrong direction. That's the question I want answered, not did somebody in the Department of Insurance say

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we wouldn't oppose the bill. That's not what I'm asking. One other question I want to ask in relation to what you just said; you said the industry supports this bill. I want to know who in the industry, specifically.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Well, you are well aware, Senator Schuneman, that the Department of Insurance and those who proposed this language in this bill came upon this agreed language where mandatory insurance for those persons who cannot - and I repeat, cannot - pay the lump sum premium, then that power is vested with the agent to put them through a premium finance so that they can be covered. So you are well aware of the question that you just asked me. If you would check with representatives of the Department of Insurance who supported this legislation and agreed to this language as such, then you would -- no need to ask me that question.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Well, again, we didn't get the -- we didn't get an answer. So to the bill, Mr. President: First of all, this bill seeks to amend an Act which does not become effective until July 1 of 1992. There's no reason to pass this bill now. We've got the entire Legislative Session to have hearings, which should have been held on this issue anyway, and find out exactly who supports it, who's against it, and whether or not we should do it. The other thing is that -- that I'm very much concerned that people who may buy insurance or may not buy insurance will have premium finance agreements signed by somebody - and particularly if they're elderly people - this is an invitation to a rip-off, it seems to me. And so, I'm going to --

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I'm going to vote No on this issue, and suggest that you join me in that, or at least vote Present until we can have some hearings on this issue and see whether or not we ought to do this. We don't have to do it. It won't become effective until July 1. We've got the whole Session to decide whether or not this should be done.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Any further discussion? Senator Jones, to close.

SENATOR JONES:

Yeah. Thank you, Mr. President. I'm really -- I'm really shocked at Senator Schuneman for those ill-advised words. He's well aware of this language which was contained in -- in another bill. But until we -- the Governor, through his amendatory veto, we include in this bill to reduce the -- the -- the number of days from which those premiums can be refunded. A person who buys insurance are automatically bound through a telephone solicitation. The agent is bound for that -- for that coverage. In order for the person to have that coverage, you must have a premium financed; otherwise, you would have persons out here without insurance. So this is a good Conference Committee Report, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 697. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 10, the Nays are 32, 1 voting Present. The Conference Committee Report is not adopted, and the Secretary shall so inform the House. Senate Bill 1470. Senator Jones. Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. Senate Bill 1470 - I would

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urge that the Senate adopt this Conference Committee Report. This is a -- an -- agreement worked out between the IMRF and all the respective unions, AFSCME, as relate to the municipal retirement funds - mostly downstate. And what it does, it provides for a thirteenth benefit check for retirees and the surviving spouses payable beginning 7/1/93. It allows the early retirement penalty to be based on either the number of months the member is under age sixty, or the number of months the member is short of having thirty-five years of services. This is -- this piece of legislation has been worked on for the past year and a half, and has a two-year moratorium; that is, no more substantive changes can be made in the IMRF pension system. I know of no opposition. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? Senator Fawell.

SENATOR FAWELL:

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

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

He indicates he will.

SENATOR FAWELL:

Senator Jones, I've been getting a number of letters from my mayors and managers that are concerned about a bill that they said was over in the House in some kind of a -- a conference - or a House bill - they didn't seem to know which - which dealt with the IMRF pensions that circumvented the agreed bill process. Is this the bill they're talking about? Could you tell me which bill they are talking about?

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Senator Jones.

SENATOR JONES:

Well, it's very difficult to keep up what's going on in this

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Chamber, not alone know what's going on in the House. But this is an agreed bill between the Municipal League, IMRF and the union. This is not the bill. Now what's going over in the House I really don't know, but there is no bill at this point in time that circumvents the agreed bill process.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank -- thank you, Mr. President. Well, in support of my good friend, Senator Jones, this -- as far as I know, this is absolutely an agreed bill between the Municipal League and the IMRF. I don't know that that necessarily means that every small municipality around the State knows that we're doing this, but the major -- the major participants are in agreement on this bill. And everyone on the conference committee signed the report.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? Senator Jones, to close.

SENATOR JONES:

I just ask for a favorable vote.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1470. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1470, and the bill, having received the required constitutional majority, is declared passed. Senator Rock.

SENATOR ROCK:

Thank you. That's it for Senator Jones, I hope. I would ask leave to move to Supplemental Calendar No. 2. There are four

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Motions in Writing - one of which deals with the rules change that is, in my judgment, necessitated by our accession to the Governor's request concerning the Budget Message. The other three concern themselves with legislation that was passed by both Houses and amendatorily vetoed by the Governor, and I think it's only fair that we deal with those. And so I would ask leave to go to Supplemental 2 and start at the top and go right through it.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Start with Motions in Writing. Senator Rock. Madam Secretary, will you...?

SECRETARY HAWKER:

I move to amend Senate Rule 5C to change the deadline for introduction of bills from April 2, 1992 to April 9, 1992 and to change the deadline for Senate standing committees to report Senate appropriation bills from May 6, 1992 to May 14, 1992.

Filed by President Philip J. Rock.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This motion is made pursuant to an action that this Body has already taken and that is currently under consideration by the House - and I suspect will be adopted - and that is a request by the Governor to delay the -- the budget submission, to delay the Budget Message to the people of Illinois and the General Assembly in Joint Session from the first Wednesday in March until April the 7th. When the Governor first approached me on this subject matter I, frankly, was a little skeptical. Now, having been through the budgetary process as pertains to the cuts that we have adopted, I can fully understand his dilemma, and so I was, frankly, readily agreeable to his request to delay the Budget Message. Hopefully, when he comes before us on April the 7th, he will be in a position to better assess the national and

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State economy, and better predict what the fiscal year next will have in store for us. But in order to accommodate that, I have suggested to the Governor - as has Senator Philip, I'm happy to say - that we really don't want to delay the introduction of appropriation bills in the Senate; we want the committees to start, and start on time. So the motion is to amend Senate Rule 5C to reflect the change. We had originally proposed that the deadline for introduction of bills be April 2nd. And instead of April 2nd, I am suggesting April 9th. The Governor will deliver his Budget Message on April 7th. He has assured us, as late as this morning, that he will bend every effort to introduce all the appropriation bills on or before April 9th. And to change the deadline that we had previously proposed for the Senate Committee on Appropriations to report bills from May 6th - to give the Appropriations Committee literally another week to deal with the Governor's request - to May 14th. I know of no opposition. I had discussed this with Senator Philip and the Governor, and I would ask that this motion be approved, and that the change in the Senate Rules be approved.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

You have heard the motion as presented by Senator Rock. All in favor, signify by saying Aye. All opposed. All opposed. Ayes have it. Motion is adopted. Okay. Under Specific Recommendations for Change, Senate Bill 708. Senator Kelly.

SENATOR KELLY:

Motion. Please.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

All right. Motion -- sorry about that. Motions in Writing to Accept Specific Recommendations for Change, House Bill 1097. Senator Berman. Senator Berman.

SENATOR BERMAN:

Thank you -- thank you, Mr. President. House Bill 1097 - we

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passed it in the -- in the Veto Session, 52 to nothing. The Governor made a technical change. What the bill does is to allow candidates for the school boards to run at the same time that the election is held to consolidate school districts. We made that change last year. This was a change that was requested specifically by Senator Maitland regarding a couple of districts. The Governor expanded this. He didn't do it for all the districts, but he did it for two other categories. There's nothing wrong with the change. I move we accept the amendatory veto.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Is there discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1097, in the manner and form stated by Senator Berman. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, and none voting Present. The specific recommendations of the Governor as to House Bill 1097, having received the required majority vote of Senators elected, is declared accepted. Senate Bill 922. Senator -- oh. Senator Rock. I'm sorry.

SENATOR ROCK:

Thank you. Before Senator Rigney presents his Motion to Accept, I would just point out - I hope everybody has received now a revised schedule. It will call for us to return on the 31st day of March. But in addition to that, as you know, earlier we passed the adjournment resolution. The House has fourteen perfunctory days. That's their business. If anybody has a bill they wish to file, please present it to the Secretary or the Assistant Secretary. We will make sure it's printed and ready to go and you'll -- we don't need perfunctory days, I guess is what I'm

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saying. The deadline will stand. The deadline is April 9th. But if, indeed, you have bills that you wish to present tomorrow or any -- any day thereafter until the 31st, please get it to the Secretary or the Assistant Secretary. We'll make sure you're accommodated.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Thank you. Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. I have a bill that's in writing, and I'd like to see if we can move it to the Order of 2nd Reading for immediate consideration on Senate Bill 1528.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Well, we're -- we're going right down the line here, Senator. Senator Rigney, Senate Bill 922.

SENATOR RIGNEY:

Mr. President, Senate Bill 922 was a little bill dealing with backdoor referendums at one time. It was eventually enacted into law on another piece of legislation. So what it became was one of our Christmas tree bills at the end of the Session, with nineteen separate provisions as a part of it. Two of those branches were clipped by the Governor. One of them deals with the Village of Mokena. They were seeking a land transfer from the DOT for one dollar. The Governor allowed that. The only thing he did was to put in a reverter clause if it's not used for that purpose. The other thing changed by the Governor was to simply eliminate a new provision for establishing fire protection districts, and the majority of the votes cast in the entire proposed district were to determine the question. Current law provides that it must pass not only in the district, but it must pass within the -- in the municipality also. So what the Governor is doing is merely returning this Section to its present form.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

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All right. Any questions? All right. If not, the -- Senator Hawkinson. I'm sorry.

SENATOR HAWKINSON:

Thank -- thank you, Mr. President. There is some important provisions in this bill, and I'm not going to oppose it. But I -- I do want to note for the record that the provision we had trouble with last year about making traffic violators for golf cart owners - people who live around subdivisions and golf courses - are still in here, but we have a commitment from the Governor's Office and the sponsors that unless acceptable compromise language is worked out, that they will repeal that part of this bill.

PRESIDING OFFICER: (SENATOR J.J. JOYCE)

Further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 922, in the manner and form just stated by Senator Rigney. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, and none voting Present. The specific recommendations of the Governor as to Senate Bill 922, having received the required majority vote of Senators elected, is declared accepted. All right. Senate Bill 708. Motions in Writing, Override Specific Recommendations. Senator Dunn asks leave to be put on as a co-sponsor. Leave granted? Leave is granted. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President, Members of the Senate. Senator Dunn and I are jointly favorable to overriding the Governor's amendatory veto of -- Senate Bill 708. The Governor removed the provisions which would have returned the State to the June double payments for schools in Illinois by 1994. This legislation will not cost the taxpayers two hundred million dollars, as the

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Governor contends. It merely provides for a different cash flow for June and July, and there is no fiscal impact to this bill, except the Governor's amendatory veto, which provides for interest payments for the school districts. This amendatory veto would cost the taxpayers nine million dollars every year, under the Governor's amendatory veto. In response to the Governor's remarks that we will not be able to meet the June 1994 deadline, I would say that this Body and the House, as well, could extend this deadline. But what it is - it's a commitment, Ladies and Gentlemen, a moral commitment and one that the schools deserve, and it couldn't come at a finer time when they're in such dire straits. So I and Senator Dunn jointly solicit your support for this Override Motion.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Lady from Lake, Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I oppose the override. We cannot take any chances right now in the finances of the State, and I had voted for this Senate Bill originally. And I honestly feel that the government -- the Governor, in his changes on this bill, at least is giving an established amount due in interest to the various school districts. And as I said, we just cannot take any chances of any additional monies being spent. We know what a tight budget we have, and I speak against the override of Senate Bill 708 at this time.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator -- I'm sorry. Gentleman from Cook, Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If we could have a little attention. This is a -- a bill

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that passed out of this Body with 42 votes in the fall. Let me refresh your -- all of your memories regarding this bill. In the Spring Session on July 18th, we passed a bill that had within it a provision that took the double payment that goes to every school district in the State, except Chicago, and took the double payment in June and moved the second payment to July. For some reason, a lot of either the conferees or Members of the Legislature and the people that represent the school boards throughout the State of Illinois were not aware of that provision. And when we went home, a lot of you heard from your school superintendents that the Legislature pulled a dirty deal on our schools, and we took a double payment in June and moved it -- half that payment to July. And the response by many of us was that we weren't even aware that that was in the bill. And in October, the Senate Education Committee held a hearing with the Appropriations Committee, up in Room 400, and there was an overflow crowd. There was literally hundreds of school districts that were represented in that room, explaining the effect of the split in the June payment. Some of us said that we would introduce legislation not to make the payment - because we couldn't afford it - but to do one honest thing, and that is to recognize - to recognize - in law, in writing, that this payment should be reinstated when we can afford it - when we can afford it. And it was my amendment, Ladies and Gentlemen, to Senator Kelly's bill, and we picked Fiscal '94 as the date to repay it. And I said, when we moved that amendment and passed this bill in the Veto Session, that if in Fiscal '94 we couldn't afford to repay that hundred and seventy-five million, that I would introduce a bill to put it off for another two years, but that what we would achieve is not just the rhetoric - not just the rhetoric - that the payment would come back, but the recognition in law, in writing, that the payment would come back. And forty-two of us in this Body agreed to put in writing what we

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were saying in our press releases and in our speeches. That's all this bill does. It doesn't tap us out when we can't afford it; because, if we can't afford it in '94, you and I will pass a bill to make it '95 or '96 or the date that we can afford it. But let me tell you a little bit of history on this, Ladies and Gentlemen, so that you don't think that it's only a movement from June to July. The June double payment came because in the seventies, when we were financially strapped, we took the July payment - not of the new July - the old July. We moved the old July payment to make it a double June payment. By moving the double June payment to the next July, you're cheating the school districts out of a hundred and seventy-five million dollars. Now, that's what we're doing. The School Board Association, the Illinois School Administrators, came to us and we said we'd put it in writing that this is what we owe. That's what this vote is tonight. Either we put it in writing, or you're renegeing on our promise to the school districts. It's just that simple. I don't think you want to renege on your promise. Make that promise in writing; vote to override the Governor's amendatory veto. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? The Gentleman from McLean, Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Members of the Senate. First of all, this issue here is not the only thing that this bill does. This bill does two other very important things. First of all, it does allow us to say statutorily that we will pay interest on the delay. That's important. Secondly, it allows school districts who are already at their limit on borrowing to borrow up to the amount of the loss in State aid for that roughly twenty-day period. So those are two critically important features of this bill that -- that need to go forward. But Senator Berman, Senator

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Carroll, Senator Hall, Senator Etheredge, Members from the conference committee, from the House and the Governor all agreed - all agreed on the reasons for making this a temporary delay, and they were important reasons. We both agree that we need to eventually back this payment back into the fiscal year. But talk about smoke and mirrors. Telling them today that it's a two-year temporary move when we know the likelihood we will be forced to change that in two years - by your own admission - is, indeed, smoke and mirrors. Why don't we be realistic? We now allow school districts to build this money into their budget, as they did last year, as they are now doing -- as they are now doing. Make that payment after we turn the corner. That's being honest with them. This creates a long-term debt for the State, when it becomes permanent, and I would submit to you, by -- even though making it a two-year delay, still causes it to be a long-term debt in the eyes of bond counsel. That's a very serious, critical concern and one that this Body ought to look at. This isn't going to mean one more dime for school districts. They're going to be excited now -- and let me tell you something. School districts now -- and I don't know why the Association of School Boards is pushing this so hard now, because I have superintendent after superintendent calling me now saying to me, "Now, we understand the commitment. We know now why you did what you had to do." And they even told me, Senator Berman, in that hearing - and you heard them say - "Senator Maitland, we had never heard it explained that way." And I think we appeased them. This is a bad, bad decision, and we really ought to support - we really ought to support - the Governor's position on Senate Bill 708.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Gentleman from Kankakee, Senator Joyce. Gentleman -- Senator Joyce. Art?

SENATOR J.J. JOYCE:

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Thank you, Mr. President. Well, you talk about smoke and mirrors, Senator Maitland. I'd like you to read the amendatory veto - the third paragraph. "This legislation would not provide one more dime for the school children of Illinois, but it would cost the taxpayers nearly two hundred million." What is that? How can it cost the taxpayers two hundred million if it doesn't go to the schools? That's -- I -- I suppose it's written for a press release. I don't know. It's a nice little, short bite. That seems to be the thing that we all want. But -- and then, talk about businessmen, and talk about what we're going to be doing here to relieve the State of their debt. You say, "Well, it's going to be a long-term debt for the State of Illinois." I say it's better a long-term debt for the State of Illinois than our local school districts. You know, also we're going to pay the interest. Isn't that great? We let the school districts borrow more money. That's really good -- good conservative logic from the Governor. We let them pay more interest - at eight percent. We can borrow money for three. But we're going to -- the State of Illinois is going to pay those school districts back at eight percent, when we could get it for three. Makes a lot of sense to me. No wonder we're in this chaos that we're in right now. So I would ask for an override of the Governor's veto.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Gentleman from Cook, Senator Kelly, to close.

SENATOR KELLY:

No, I -- I just move for your favorable support for this Override Motion, as does Senator Dunn.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Question is, shall Senate Bill 708 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Those opposed, vote Nay. The voting is

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open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 30 Ayes, 20 Nays, none recorded as Present, and this bill, having not received the required three-fifths vote, is declared lost. Anything else? The Gentleman from Cook, President Rock. Senator Rock, please.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The House has agreed with the Senate and passed the Emergency Budget Act with 63 affirmative votes. I have spoken with the Speaker and suggested strongly that the Senate has concluded its business, and I would now move that we adjourn until March 31st at the hour of noon.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

We have a couple housekeeping matters...

SENATOR ROCK:

Housekeeping, certainly. The Consent Calendar and...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Senator -- Senator Rock moved that the House <sic> stand adjourned until March 31st, pending upon five minutes for the Secretary to conclude her housekeeping matters. All in favor, signify by saying Aye. Opposed. The motion carries, and the Senate stands adjourned till March 31st, pending the housekeeping chores. Senate Resolutions.

SECRETARY HAWKER:

Senate Resolution 1000 offered by Senator Alexander.

It is congratulatory.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Consent Calendar. Leave of the Body, we will place Senate Resolution 994 on the Consent Calendar, 996, 997, 999, Senate Resolution 1000. They are all congratulatory. Hearing no objections, Consent Calendar. Have there been any objections to the Consent Calendar?

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SECRETARY HAWKER:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins moves the acceptance of the Consent Calendar. All in favor, signify by saying Aye. Aye. Opposed. The Consent Calendar has been adopted. The Senate stands in adjournment till March 31st, 1992. Have a very successful primary. Good luck. Bye-bye. Good night.

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