

83RD GENERAL ASSEMBLY

REGULAR SESSION

JULY 1, 1984

SENATOR EGAN:

Yes, a question please, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan, he indicates he will yield.

SENATOR EGAN:

Well, I...I read that you're discussing something involving any mayor, alderman, city clerk, city treasurer and their leave of absence and I'm curious to know who?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

First of all, let me apologize, Senator Egan. We were unable to locate you with this Conference Committee for your signature, so I apologize to start with on that. Now with regard to...the provision that you bring up, I don't know who over in the House requested that...or where that language came from.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Well, my phone number is 7788, if you're looking for me just call. I wasn't given an opportunity to read the Conference Committee report. I don't know who this is that we're involved in...and...and, therefore, opposition.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. I wish Senator Schaffer were here because somewhere in here is some language that he desired. I...was he a sponsor of this? Okay. I signed the report laboring under a misapprehension that the language that Senator Lechowicz has addressed was indeed Senator Schaffer's language. It turns out, I'm informed by staff, that that was not the case. Therefore, I would...I would

apologize to the Senate for having signed the bill...or signed the Conference Committee report because I am somewhat troubled by the reference to Section 11-41.2-1, and I may have difficulty supporting this report. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow may close.

SENATOR DARROW:

Well, let me say this, I'm not exactly excited about this entire matter. What we've done with this is we've...we've incorporated a couple of ideas from the House of Representatives. I understand the portion that Senator Lechowicz is speaking about, I've cleared that with the City of Chicago, they had no objection to that and the Municipal League was strongly in favor of it. With regard to...with regard to some of these other provisions, as I said, Senator Schaffer had some of these. Some of them I don't know where they came from. I would just say that the Senate should use its own judgment and vote it up or down just...let's take a vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the first Conference Committee report on House Bill 2953. Those in favor will vote Aye. Those...opposed will vote...Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 35, 2 voting Present. The Senate does not adopt the first Conference Committee Report on House Bill 2953. Senator Darrow, do you...request a second.....Senator Darrow requests a second Conference Committee. The Secretary shall so inform the House. The Conference Committee is not adopted. House Bill 3177, Senator Joyce. Senator Joyce is recognized on House Bill 3177.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. 3177 is the same as the

Senate bill we passed that amends the Environmental Protection Agency Act to...require the agency to provide for annual testing at no charge to the owner of water from private wells located within a half mile of any hazardous waste disposal facility. Also there's an amendment on it that Senator...Grotberg...Grotberg...put on it. I don't see Senator Grothberg on the Floor. There he is. All right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce has moved the adoption of the Conference Committee report. Is there any discussion? Senator Grothberg.

SENATOR GROTHBERG:

Well, thank you, Mr. President, and I appreciate Senator Joyce allowing me to put my Senate Bill 1363 on this bill. After it got into conference, mysterious things have happened to it, and the playing field has been narrowed by a couple of key players in the House and the Senate and it isn't the bill...the good government bill that I sent over, and that disturbs me to some degree, because the Illinois manufacturers have been calling me and the...the Chamber of Commerce and everybody and they're all disturbed about it. But I would really still might like to go to a second conference, either take it all out and forget it. I spent three years trying to send some good government...down to the Governor but this has special interest legislation in it and...not too attractive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Has that report been distributed? I don't have a copy of it here. 3177. Has that been distributed, Mr. Clerk?

PRESIDING OFFICER: (SENATOR DEMUZIO)

It has not been distributed, Senator Leckowicz.

SENATOR LECHOWICZ:

Then we can't consider it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lechowicz, they are...they are in the process of being distributed at the moment. Further discussion? Senator Welch.

SENATOR WELCH:

Yes. I would rise in support of this bill. The original bill is a bill we passed. The two amendments are Senate Bill 1363 which Senator Grothberg sponsored which states that a...a RCRA permit issued by the Federal Government is also determined to be a permit issued by the State; you don't have to go through any further proceedings, thus cutting down on paper work and other activity. The second amendment which was added on in Conference Committee, I...I disagree with Senator Grothberg, I think that it is a good government amendment. And what that amendment states is that after a final decision is rendered on an appeal of a permit denial, a permit to open up a hazardous waste site dump, the applicant shall have to follow current rules and regulations upon reapplication or further proceedings of the permit request. If a person applies for a hazardous waste permit to operate a hazardous waste site, the permit is then appealed and for some reason they didn't follow the proper procedure and the court remands it back for further hearings, which may take a...year or two, the individuals who are applying for the permit then have to comply with the laws in effect at the time they are reapplying or proceeding further. In many of these cases the appeals process takes some two years, especially when you go the entire route which is from the EPA, the Pollution Control Board to the Appellate Court to the State Supreme Court to the U. S. Supreme Court, and after each hearing, you can ask for a reconsideration by that court. So it can take several years, and what this would do

is say that if you do go through all these proceedings, you have to comply with the law in effect at the time you proceed further. And I don't think that this is a bad idea at all. And I...I...I don't believe that the Chamber of Commerce is as opposed as Senator Grotberg is saying, because when I spoke to them earlier they didn't...they helped write this and they didn't...jump off any cliffs. So I would urge support of this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 3177. 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 14, the Nays are 30, none voting Present. The...the Conference...the Senate does not adopt...adopt the Conference Committee report and the Secretary shall so inform the House. And Senator Joyce requests a second Conference Committee. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on House Bill 2381 and requests a second Committee of Conference to consider the differences between the two Houses on Amendment No. 1. The Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Savickas has moved to accede to the request of the House. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. All right. We are back on Supplemental Calendar No. 5, there's one bill remaining, it's House Bill 3093. Senator Davidson, has that

report been distributed? Senator Davidson is recognized on House Bill 3093 on Supplemental Calendar No. 5.

SENATOR DAVIDSON:

...Mr. President and members of the Senate, I move we adopt Conference Committee Report No. 1 on House Bill 3093. The Conference Committee report does four things. One, it removes the provider...preferred provider organizational language from the bill which there's a big discrepancy what that did or did not include, and it would have...taken a change in the Insurance Code to do it. Removes Senate Amendment No. 2. There's some disagreement among people who agreed earlier with the No. 1 coming off and that was taken out to save controversy. No. 3 does what we originally started out to do as related to term appointments and optional life insurance coverage which is needed in Central Management Service because we got ten offices over there under the term appointments that are in limbo. And No. 4 was necessary to raise the cap on the insurance for retirees under the teachers' retirement...3.6 to six million. The additional monies paid out...the earnings on that pension fund are their own. The main reason for this is the bill from Blue Cross-Blue Shield we already know is going to exceed the cap for this year, they've had a normal growth of eighteen to twenty-six percent in this retirement, a number of people participating each year. I move the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Davidson has moved the adoption of...Conference Committee Report No. 1. Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I didn't sign this Conference Committee report because I want to make a point about the six million dollars that's going to come out of the teachers' retirement fund. Some of you have been around here long

enough to remember that a number of years ago we were asked to fund a study that would permit the...or look into the question of providing health insurance coverage for retired teachers. And the idea was that they would establish a group insurance plan which would be funded by those retirees but handled through the retirement system. Well, we agreed to do that, then the next year we came in with the first request for money out of the retirement fund. Now, I hope you'll pay attention to what we're doing here because this is one of those instances where if we do it for the teachers, we may be called upon at a later time to do it for some other group. Well, what we're doing is taking retirement benefits and using those retirement funds to pay part of health insurance costs. And so to the extent that we're spending six million dollars out of the retirement fund money, I calculated earlier that if...if teachers get about a five thousand dollar a year pension, that that's enough to pay the pension for a hundred and twenty teachers a year. Now the argument is made that because we've had good earnings on the pension funds the last few years that there's plenty of money to take care of this. Well, I tell you, we better hope to God there's good earnings on the pension funds because we're badly underfunded in all those funds. And we simply ought to be aware that this is the kind of program that will grow from little or nothing and get to be, I think, a...a major expense item. I think that we've probably gone just about far enough with this program, maybe we ought to stop and take another look at it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Bruce. Can we break up the conference in front of Senator Bruce? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate.

I...I just think we should remember there were a couple of things in this bill that were originally controversial and they have been removed. The preferred providers question that has been on this in several bills, the Conference Committee met, Senator Rupp and Senator Davidson and myself, Senator Smith and others agreed to remove that sort of controversial item. The flex benefits which were in 3094 which failed to get out of committee and were added because we were making a compromise on 3093 and 3094 together, we decided that that also was an experimental program and we should hold that for another year, and the department is reluctant to do so but they have finally acquiesced. Senator Schuneman points out that Senator Rupp passed legislation a year ago relating to insurance benefits and we've now had a chance to take a look at those. But the payment of this money comes only from the return on investment, has nothing to do with the payment by the State of Illinois, it is only on return investment. There's a four percent limit on that. They have...before they can get a dime, they have to return four percent. The...the gentleman from the retirement system was there and indicated that without any additional retirees at all this year they would require at least another eight hundred thousand dollars, at...at minimum without calculating any additional new people, and obviously there are going to be retirees this year. It's only on their investment, the money that they make, right now it's a little over eleven percent and they can fund this program with that without touching anything else and it seems to be reasonable. Senator Davidson worked a long time with the flex benefits, the preferred providers and this particular provision, and they all seem to make sense and we've, I think, worked out an equitable...compromise on this very kind of controversial issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. Maybe there have been some provisions that were controversial in this bill before, but if you read this Conference Committee and what it establishes, they're taking actual six million dollars of pension money which is going to be used for insurance purposes, that's an extremely bad precedence. And I thought that, in fact, the Governor took an awful lot of abuse when he reduced the pension funding at sixty percent. We, in the General Assembly, have tried to increase that funding level to sixty-six and two-thirds in this appropriation year process, and due to budgetary constraints are going back to the sixty percent; and now we're asking in a Conference Committee that the six million dollars that the teachers gathered in interest, instead of going back and putting into the pension fund the way it was originally construed by law, we're saying, no you can pay your insurance policy by six million dollars from your Pension Code benefits. Well, if it's good for the teachers in Conference Committee Report 3093, it will be good for the judges, the General Assembly, State employees and every place else, and how are you going to fund your pension funds, Ladies and Gentlemen? This is an extremely bad precedence and it should be defeated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Davidson may close.

SENATOR DAVIDSON:

Well,...we paying fifty percent and the employee or the retiree paying fifty percent is already part of the State Statute. All we're trying to do is raise this cap so that you can do what the law says we should do because we know the bill....because the number of the retirees has gone up from

Blue Cross/Blue Shield for the funding is already going to be eight hundred thousand minimum over what this cap is. So, now, if you want to violate the law by not paying what the law says we should do, fine and dandy. This is came out of the earning, the first four percent must go in from the earnings, must go into the pension fund to keep building up that actuary account. The earnings on this under the prudent man rule this year has been eleven percent which goes to show that we made good judgment when we passed that bill. This is a good bill, this is letting us do what we have to do under the Statute. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the first Conference Committee report on House Bill 3093. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 16, none voting Present. The Senate does adopt the first Conference Committee Report on House Bill 3093, and the bill having received the required constitutional majority is declared passed. Ladies' and gentlemen, we...momentarily there will be...there will be another Supplemental Calendar No. 6 to be distributed, it is arriving here momentarily. While we're in lull, perhaps we could move for the adoption of the Resolutions Consent Calendar. Mr. Secretary, have there been any objections filed to the Resolutions Consent Calendar?

SECRETARY:

No objections have been filed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Savickas...Senator Savickas moves for the immediate suspension of the rules and the adoption of the...immediate consideration and adoption of the Resolutions

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Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Savickas now moves for the adoption of the Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

For what purpose does Senator Lechowicz arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. Was Senate Resolution 745 on the Consent Calendar?

PRESIDING OFFICER: (SENATOR BRUCE)

Yes it was, and the Secretary informs me it has been adopted.

SENATOR LECHOWICZ:

Thank you, very much.

PRESIDING OFFICER: (SENATOR BRUCE)

If I might have the attention of the Body. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. I have just been informed that the House has successfully passed the funding program for the expansion of McCormick Place and the tourism program as reconstituted by the Governor, and I'd ask...since it is on Supplemental No. 6, I'd like the opportunity to explain and ask for an immediate vote on that.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Is there leave to go to the Order of the Sixth Supplemental Calendar and Senate Bill 1893? Is there leave? Senator Lenke, for what purpose do you arise?

SENATOR LENKE:

I would like a Democratic Caucus before this bill is called.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Well, I...I think...I...you know, requests like that are ordinarily in order. We had one of those earlier today and...and it's obviously approaching the bewitching hour. I'm going to insist on my motion.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lenke.

SENATOR LEMKE:

We had this same thing yesterday with Senator Buzbee. I request a Democratic Caucus. Things have changed in the Democratic Party over this particular piece of legislation and many other things that were supposed to be in agreeance. And I want a Democratic Caucus and I think this should be aired out.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

I am moving that the Senate concur with the first Conference Committee report on Senate Bill 1893 and let me explain why. The Conference Committee report on 1893 is essentially substantively the exact same package that passed out of this Body with in excess of forty votes to provide...to provide for adequate funding for the expansion of McCormick Place, to provide for a small modicum of money to continue the study on the World's Fair and bring those folks back here again next year, and in addition to that, to provide a much needed infusion in the tourism. The only change that is of serious substantive value is that we have changed the tax base. There was substantial objection to a Chicago only restaurant tax. There was substantial objection to a suggestion that perhaps the cigarette tax would be the revenue stream and so we have suggested and the Governor has agreed and proposed that we would reinstate a tax that had been in effect for thirty

years and came off when we abolished the sales tax on food and prescription drugs; came off, I suggest erroneously. And so we are talking about reinstituting a sales tax on the retail sales of soda pop, soft drinks, which had been in effect for thirty years. It will provide an infusion of money necessary to fund the program as presented; it will additionally provide, at the Governor's request, three million dollars annually for convention and local tourism bureaus in downstate Illinois, ten million dollars annually for conservation programs and the residue will be put into...available for transfer to General Revenue for the purpose, I hope, as the Governor sees fit and we've suggested that the Common School Fund is a fit purpose. Let me further point out...that if you take the component parts of the package and assess or measure what Chicago's contribution is, Chicago's contribution by virtue of the new Statewide hotel-motel tax one percent increase is five million dollars; the restoration of the five cent sales tax...five percent sales tax as measured as to what Chicago contributes is fourteen million. The allocation formula for the existing hotel-motel tax as it relates to what Chicago's contribution is is in excess of ten million, and the racing tax will contribute close to another million. So we're talking about a contribution from Chicago in excess of thirty million dollars, more than enough, I suggest, to adequately fund the proposed expansion of McCormick Place. The rest of the bill, essentially, substantially is the same as successfully passed this Senate some weeks ago. And I suggest it is worthy of your consideration, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption of the first Conference Committee report...wait, several people have sought recognition. The following gentlemen have sought recognition: Senators Coffey, Lechowicz, Jeremiah Joyce, Senator Luft, Senator

Schuneman, I think that's it right now. Senator Coffey.

SENATOR COPPEY:

Thank you, Mr. President and members of the Senate. It seems that here in this last few minutes that we're going to come up with a proposal here that's...that's not fair to downstate Illinois. Now I understand that the Speaker of the House has said that in the proposal that we sent to them that he had already made a commitment that there would not be a sales tax on the restaurants in the City of Chicago, and so he's come up with a program that's going to let us all in this State pay for the World's Fair, and I think that's an unfair proposal and I'm going to rise to oppose this bill and this amendment on the basis that the Speaker evidently has said he's going to be embarrassed if he has to go back on his word; and I just want this Body to know and the people in my district that I said if this is going to be paid for at the same rate downstate as it is in the city, then I oppose the bill. Now you saying that there's going to be thirty million participation by the city and that's their...their part but it's also going to be divided with them. I think the State of Illinois as a whole should pay proportions of this program but at the same time, I think that the City of Chicago is going to benefit directly, they ought to pay a larger percent. The Mayor of Chicago said he doesn't want to participate, that he wants the State of Illinois to participate at the same time while restaurants...restaurants and motels in the City of Chicago is going to have all the direct benefits. And I'd ask this Body to oppose this bill...or this report.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First of all, in all fairness, I believe Senator Lemke's request for a Democratic conference was in order.

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And I, for one, would like to second that request for a Democratic conference.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR LECHOWICZ:

And I move that the House stand for a Democratic conference in 212 immediately. Senate, 212, immediately.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Let's do it.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. There's been a request for a Democratic Caucus. The Senate will stand in Recess subject to the call...Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

Well, I don't want you people to be unlonely, there'll be a Republican Caucus in President...I mean...Senator Philip's Office immediately.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The Senate will stand in Recess subject to the call of the Chair. The Senate is in Recess.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

The Senate will come to order. At the time of our motion to Recess, we were on the Order of Conference Committee Reports on Senate Bill 1893. Senator Rock, do you wish to proceed with the motion on that Conference Committee report?

SENATOR ROCK

Yes, thank you, Mr. President, Ladies and Gentlemen of the Senate. I have...risen and wish to continue in support

of the Conference Committee Report No. 1 on Senate Bill 1893. This report was adopted by the House less than an hour ago...or an hour ago by a majority vote. And what it does, it...it establishes the Tourism Fund that's designed to support the annual advertising campaign to promote this State. It will provide the necessary revenue stream for the one million square foot expansion of McCormick Place and will afford, according to the will of this Body, this Senate, an opportunity for further progress, if you will, on the proposed World's Fair of 1992. It will provide some funding for the independent feasibility study that was called for by this Senate. Senate Bill 1893 as reconstructed in this Conference Committee report is essentially the same bill as passed this Senate with an overwhelming majority with the major substantive exception that the source of funding has been changed. By virtue of this Conference Committee report we are restoring the five percent State sales tax on the purchase of soft drinks at retail food stores. And with those proceeds we will then be able to fund adequately the Statewide tourism promotion, the promotion grants for convention and local tourism bureaus, the World's Fair studies for a year, the proposed conservation and park projects and handle the debt service on the McCormick Place expansion. It is a program that has been thoroughly discussed in these wanning weeks of the Assembly Session and one that I think, given the opportunity it presents all across this State for economic development, for the creation of jobs, it is one that deserves our support and I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption of the first Conference Committee report. Is there discussion? Senator Darrow.

SENATOR DARROW:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate, I won't belabor this thing. I do question the source of the funding at this late hour to come in with a tax on soft drinks with no notice of it out to those who are affected. I just think it...it is something that...while the whole project has been discussed for weeks, it was something that I was not aware of and I've received numerous calls this afternoon from people who are affected by that. I understand that one of the major bottlers has signed off on this thing for some other reasons, but as far as I know, the other bottlers have not. I just don't think it was the right way to proceed.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. I concur with Senator Joyce. As I remember it, we established a task force, that task force deliberated long and hard, members of both sides of the aisle came forward with some proposals. We voted on a set of those proposals. We sent those over to the House, and we can't say that it was just the House that had a problem with the proposal that this Senate sent over there and we spent so many hours long and hard working on it. Apparently, Speaker Madigan had some kind of a problem with the Chicago Restaurant Tax. I find that particularly interesting in light of the fact that it was the restaurateurs, a good number of the restaurateurs anyway, the ones that would benefit the most from the World's Fair that were, in fact, in support of that tax. Now the fact that...Speaker Madigan has changed his mind and has sent something else back here, and here it is in the last hours of this Session, we're now supposed to open up this Session and

discuss a new source of funding, that just doesn't make any sense. It doesn't make any sense at all. I think the only vote is a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. You know, it...it's getting late, we've been around a long, long, time. There is nothing that is ever perfect that we've ever passed in the history of this General Assembly. And, you know, I thought we worked out a very good proposal, we passed it over to the House and there seemed to be some disagreement. Quite frankly, I think this is a reasonable compromise. Hopefully, we have some reasonable people. And I'm not happy with the Statewide five percent tax on pop, quite frankly. But if I have my choice between supporting that and not having tourism, McCormick Place and World's Fair, I know what I'm going to do. Isn't ten million dollars a year reasonable for tourism in Illinois so we can play catchup with Indiana, Michigan, Ontario? Illinois should be a leader in tourism. It's not only jobs, it's revenue. And look at McCormick Place, outstanding, outstanding, outstanding. A little small, we're going to increase the size of McCormick Place so that we can have more conventions coming to Illinois, more jobs, more revenue for the State of Illinois. The World's Fair, quite frankly, has become very controversial. I tend to be for the World's Fair but I'm certainly not ready to sign off...on it at one o'clock on the 30...excuse me, on July 1. But I'll tell you one thing, I'm willing to invest eight million dollars to study it and have them come back and justify the World's Fair in 1992, more jobs for Illinois, more revenue for Illinois. This isn't a perfect package, but I think we ought to bite the bullet and do what's right for the economy of the State of Illinois.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? I have Senators Newhouse, Coffey, Marovitz, Geo-Karis and Grotberg. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, I...I rise in support of the bill, I think it's a good compromise. There's one feature that I'd like to point out because some of us had some serious reservations about...this...this bill and McCormick Place and its expansion, that had to do with affirmative action. And I'd like to just say to the Body and to those who are concerned that there's a good affirmative action language in here on which our staff worked very hard. It gives us some hope that some things might change within that...within that particular section and of course within the World's Fair. And I would urge a...an Aye vote on the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Since I've rose a second time, I'll be very brief, but I'd like to point out something and a concern of mine that I did mention in the caucus. Some of my colleagues have...have said before that they feel that the World's Fair is in the best interest, and I'm speaking only of the World's Fair. The...as far as the McCormick Center, I...I realize how important it is and I think it's important to the State of Illinois. I think Statewide tourism is important and those two parts of the bill I don't have a big objection. But I'm told that the...that the money that's raised for this 8.8 million for the study of the World's Fair, it should be a participation, now we're about to put on a soft drink tax to...to fund that 8.8 million. At the same time, what I brought out in...in our caucus is the fact that this World's

Fair, the Chicago World's Fair Board has been set up with one member from what I consider downstate, anything south of I-80. And at the same time, that's about one twenty-seventh of the...having anything to say on the Chicago World's Fair, but we want to put a Statewide tax on. Now, if we only are going to be representing one twenty-seventh of the...of any say on the World's Fair, it looks like we only ought to be funding as far as our dollars one twenty-seventh, and the...the numbers we have certainly don't come out that way. I don't understand if...if they want us to be part of it downstate as far as paying for it, why we can't be a little more part of having some say on that board, and...and so far, it doesn't seem that that's been that way. And I would like to ask the sponsor of this bill if...if he feels that that's a fair...fair move.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock, Senator Coffey is asking a question. Senator Coffey, would you repeat your question?

SENATOR COFFEY:

Yes,...yes...Senator Rock, my...my concern is that the tax that we're about to put on is going to be a Statewide tax and I'm certainly aware that the larger population is in the suburban area. At the same time, when the Chicago World's Fair Board was set up there was one person appointed in what I consider central or downstate, and I think that appointment was from here in Springfield, the only appointment that I'm aware of south of I-80. At the same time, we feel that...and there's twenty-seven members, we have one member. Do you think that's a fair...that we only have one person that has anything to say about the Chicago...the Chicago World's Fair, at the same time, we are asked to put a Statewide tax on it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

The beauty of this plan, 1893, as is represented in this Conference Committee report is that you're not only going to have more than one person to have a say in the World's Fair, you're going to have a say in the World's Fair, because this does not in any respect fund or commit to the World's Fair. What it says is what this Body wanted it to say, hey, we're not buying...we're not signing off yet. We want you to come back with an environmental impact statement, we want you to come back with an independent feasibility study, that's what this says. And the eight million dollars is allocated out of the Tourism Fund, yes; but the fact of the matter is, of the twenty-seven appointees half were by the Governor and half were by the Mayor, and I will make it my business to talk to each of them and suggest that when they come back, if they come back next year and look for this Assembly to provide some firm, stable funding so that we...when we commit to this, that there better be some change in that board, yes. But to represent this tax as somehow funding that is...is just not quite accurate. This Body made that decision and we said no, and that's what we sent to the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Well, thank you, Senator Rock, 'cause that is my main concern and I'm aware that this is only for a study. My concern is as this thing goes on next year and the following year till 1992, that...that if we are going to participate Statewide, that we ought to have better representation on that board, how that money is going to be spent and how that...that money is going to be accounted for.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the

Senate. Well, at one-fifteen I think we all know if we're not kidding ourselves, this is the package. We're all for tourism, we've stood up here and talked about tourism, but we'd be kidding ourselves to think that we can have any tourism package in the State of Illinois without McCormick Place as an intricate part and parcel of that package. And if we don't pass this package, if we don't pass 1993, the conventions that we are presently negotiating for for years and years to come and negotiating in strict competition with other cities, we will lose. And the people from McCormick Place are here to tell you that we will lose those conventions, and they're not whistling Dixie, and they're not crying wolf, we're going to lose those conventions and your tourism will go right out the window. So this is our chance, it may not have everything that everybody wants, but this is the package. We can talk about the World's Fair in Sessions to come, but there's nothing more important than McCormick Place, that's the number one priority and that's here and we can't have...conventions, we can't have tourism and people aren't going to find out about this great State without this package.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I was prepared not to vote for this package because I voted for the prior package which I thought was very fair. But I think...I realize that if we don't get more jobs in we're not going to get more money in for our schools. By helping McCormick Place expand so it can attract big conventions, we will have an overflow of people coming in and more money will be spent, more jobs will be gotten. And I come from a collar county, there are six collar counties...counties involved particularly that can benefit by the jobs. As far as the pop

tax goes, I didn't like it but when I figure out that that should have...that should have been taxed to begin with because it's not food, and I'm...by an error it was left out, I think it'll amount to maybe one or two cents but I think my people would rather see the money spent for jobs. And as far as the World's Fair goes, it's a one shot eight million...8.8, and if it isn't feasible within the year, I don't care if we do have a World's Fair but I do care about getting more jobs for my people, and I think this is about the only way to go, and therefore I reverse my opinion, I'm going to support the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBEBG:

Thank you, Mr. President and fellow members. I rise to only explain my own vote, nobody else's. This could be the last major vote I have in the Illinois General Assembly in the interest of the future of Illinois. And I come to this vote with such a load of conflict of interest. I spent twenty years dragging people from all over the United States to visit Chicago. I spent almost thirty years in the hotel business and was very active in trying to get the downstate hotel operators into a position to support the hotel tax and we prevailed. But more than that, I would like to leave this General Assembly on this 1st of July with a dream, a dream that somebody rose beyond parochial interest and remembered that in 1933 my little sister got taken to Chicago to the World's Fair and seven brothers and sisters envied her and have never forgiven her. I came to Chicago twenty years after that. But I'm here to tell you, ladies and gentlemen, that the safeguards that are built into this package if there's ever going to be a World's Fair are in this package, the jobs, the tourisms, the show business of Illinois. The show business of Illinois is at stake and as an old show

business guy, I'm here to tell you, ladies and gentlemen, my vote is seed a little money, put on a good brochure and get it on the radio and the television, we all do it, we're all going to go back to our districts and spend fortunes fighting each other as to who's going to win. And I'm here to tell you that this is one night that Illinois could win. And we could all be on the same team. Nobody has more parochial interest than I do. I haven't got a State park in my district. I don't represent Chicago. But somebody has to care, and if you ever took a chance in your life, tonight would be a good night to take a chance on the future of Illinois. That funny part of it, at the other end, the World's Fair may never make it. I helped open McCormick Place I, we burned it down, I opened it up again. I just came from a Republican Caucus and we're not supposed to tell stories out of school, nobody in our caucus was against McCormick Place, nobody, we know those benefits. Please, ladies and gentlemen, that's why I am going to vote Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Let me just say that I thought the Senate passed a plan that was worthy of support. The fact is there were many legislators, many legislators in the House who felt they could not support a provincial type tax. What we are doing by substituting the retail sales tax on soft drinks, we are effectively repealing a loophole which exempted soft drinks. The tax adjustment I can tell you is supported by most of the major groups in the State of Illinois who deal in this business, it is worthy of all our support. It is an attempt on our part to keep Chicago and Illinois as the premier convention capital of the country. We can only do it with your help. I urge an Aye vote.

HB 1704
C.R.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1893. 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, the Ayes are 39, the Nays are 16, none voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 1893 and the bill having received the required constitutional majority is declared passed. For what purpose does Senator Chew arise?

SENATOR CHEW:

Having voted on the prevailing side, I would move my...vote be reconsidered.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to reconsider. Senator Rock moves to lay that motion upon the Table. On the motion to Table, those in favor say Aye. Opposed Nay. The Ayes have it. The motion to reconsider is Tabled. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Can I suggest we start at the beginning of Supplemental Calendar No. 6 with House Bill 1704, with leave of the Body.

PRESIDING OFFICER: (SENATOR BRUCE)

With leave, we'll start right down Supplemental No. 6. House Bill 1704, Senator Davidson is recognized for a motion.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I would move that the Senate concur in Conference Committee Report No. 1 to Senate Bill 1704...excuse me, House Bill 1704. Most of you all know this is the auto emissions testing bill. We're dealing with the possibility of a hundred million dollars worth of Federal highway funds riding on this project. Could I have a little attention...almost all...wanted me to hear

this.

PRESIDING OFFICER: (SENATOR BRUCE)

We're certainly happy to have guests on the Floor, but can we clear out the area behind Senator Philip's desk. That whole caucus, if you could take that off into the corridor. If we can clear the aisles. We're certainly happy to have our guests in the galleries also, but if you would not join us in debate that would also be appreciated. Senator Davidson.

SENATOR DAVIDSON:

Mr. President, thank you. This bill will affect all the County of Cook. It will affect zip codes area in DuPage, Lake, Madison and St. Clair County. The owners of the affected vehicles will be within twelve miles of a testing station, and the usual wait prior to the beginning of this inspection will not exceed fifteen minutes. All cars, light duty and heavy duty trucks, those which are gasoline powered will be tested. The test will be given at a special test station built to State specifications by a contractor. The stations we...will be built with private funds, staffed by nongovernmental employees. The Illinois EPA will oversee the test program and audit the performance of the contractor. The contractor will be prohibited, I repeat, prohibited from doing auto repair. The Pollution Control Board will adopt pass/fail standards no more stringent than necessary to bring the affected areas into compliance with the Clean Air Act. A waiver would be given to all vehicles which fail so long as the vehicles has had a low emission tuneup and the pollution control equipment is in place and working. The tests will be free of charge. The money to fund the program will come out of the Motor Fuel Use Tax Fund of the State of Illinois. The computer matching system will be used to assist in the enforcement. The Secretary of State will provide EPA with a list of registered vehicles subject to the testing program.

EPA will send two notices, the Secretary of State will then send an additional notice of warning, the EPA will then notify the Secretary of State of continued noncompliance. The Secretary will then suspend the driver's license and/or registration. Suspension would be lifted when the Secretary receives proof of compliance. As you all know, this auto...emission testing is in relation to the hydrocarbon...carbon monoxide pollution in relation to clean air standards of which we have to get in compliance with the Federal EPA. I would appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The following Senators have sought recognition: Senators Egan, Fawell, Collins, Chew, Jeremiah Joyce, Rigney and Hall and Lechowicz...and Etheredge. All right. Senator Egan.

SENATOR EGAN:

Yes, Mr. President and members of the Senate, it's late, we've been through this once, it's no better now than it was, but I would like to know how it differs from the original bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

The original bill or the amendment which failed?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

All right, the amendment which failed.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

One is that...the computer match which will cost only approximately five hundred thousand dollars to administer rather than the two million plus under the registration.

Two, twelve miles maximum, anyone to go. The other one had twelve miles with possibility of some up to twenty. And the most important thing which...concerned probably you, since your area is affected, it's a free test, not a ten dollar a...owner fee test what was in the original amendment. The rest of it is basically the same.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan.

SENATOR EGAN:

All right. Now, Senator Davidson, I don't want to prolong it, I...it's late. I just want to know what I'm going to tell my neighbor who's got a diesel engine that he doesn't have to have his car tested, and why, when my next door neighbor who has a regular gasoline engine, he has to have his vehicle tested. I just want to know what to tell him.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, very simple, that diesel vehicles have significant lower levels of carbon monoxide and...hydrocarbon emissions and we get no credit even if they could be tested, and ninety some odd percent of them could not be tested 'cause they do not have catalytic converters on...catalytic converters on them. The Federal EPA standards would give us no credit even if they were tested.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Egan, and your time has nearly expired.

SENATOR EGAN:

All right. Can I have him call you, Senator? I'm not going to tell him that. And I'm not going to tell him that I voted for this whole thing. All right? And I'll tell you why, it's late and I don't know how you say it but in twelve years this is the worst thing that I have seen on my desk on

this Floor. Ugh. Ish. Phew. I'm going to write my Congressman and vote No. I wish you'd do the same.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

Thank...thank you, very much, Mr. President. I have a...I agree with the...the former speaker. I have done some considerable research on this question since I was on the task force looking into this problem. And as many of you know, I have sent out a press release and I don't know if you bothered reading it and I don't know if any newspapers bothered reading it, but I'd just like to give you a couple of facts that I found out. Number one, five years ago there were twenty-five counties out of compliance under these standards. Without doing one blessed thing except maybe getting rid of the...of the old cars that don't have the converters slowly off the roads because they were falling apart, we got down to four counties. When I asked our EPA, of those four counties, which are Cook, Lake, Madison and St. Clair, what is the worst reading that we have in those counties? I discovered that in Cook, it's Evanston who over six days, two hours each day, the worst for an entire year's time, because these monitoring stations are going twenty-four hours a day, three hundred and sixty-five days a year, the worst we've had is twelve hours. At Lincoln Park they've had two hours...of...of...over the...over the standard. Lamont, they've had four hours over a two-day period. In Lake County the worst they've had is...in Waukegan over a five-day period, ten hours for the entire year. The worst offender in the State of Illinois is a town called Wood River. I don't know where Wood River is, I've been told it's down...down south. I have asked...I gather it's in Sam's district...I have asked the Secretary of State, how many cars are in that county...in that city? There are nine thousand fifty-eight

cars. Sam, correct me if I'm wrong, I think we could dump all nine thousand fifty-eight cars in the river and I don't think it would make any difference...as far as the pollution is concerned. I think we're on the wrong track. I think we...every one of us ought to go back to our Congressmen and ring their necks and ask them what in the world they're doing to our State and demand that they recognize the fact that we are in compliance and get this thing off our backs. Thank...and I'm voting No.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Vadalabene.

SENATOR VADALABENE:

Bev, this is Sam. First of all, the dogs are out, where's the bunny? What did you do with the rabbit?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

I hate to tell you this, Sam, but he died.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of Conference Committee Report No. 1 to 1704, and based on...comparison to the other...to the concurrence bill that we had, I think this bill makes some very drastic changes in a very positive way from that report. This bill, as the sponsor indicated, Senator Davidson, it...it...it makes the change into...in terms of who actually bills the station, who pays the cost for the station and who in fact pays the cost for the testing, that is very clear. In the other bill, the cost for the testing was borne by the...the...the owner of the car, now it is paid by the State. The contract...the bill was so craftily drafted so that one person could have become a multimillionaire if not

made a billion dollars off of this particular bill. It is now drafted so that it is competitive and different contractors who qualify can, in fact, bid and get a piece of this business, and that was my major concern for decentralization and that objection has been met through this bill. All in all, I think the bill is a good bill, it is something that we have to do. I'm still not so sure we have to do it at the moment, but if the Governor and the people from Washington say that we do, then I say let's do it. And I think this is a good compromise way of doing it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. In these two Houses the art of politics is to compromise on the impossible. I have been very vocal on this issue because there were certain things that I thought should eventually be.

PRESIDING OFFICER: (SENATOR BRUCE)

Excuse me. Senator Chew, if we...if...may we have some order, please. It's the Chair's understanding that we have many of our House members over here because you're at ease, but we would certainly like you to allow us to continue with our business. So if you have your conferences off the Floor, it will help our orderly process. Senator Chew.

SENATOR CHEW:

Thank you. One of the problems I had was interfering with home rule units. That, by agreement, has been eliminated, no preemption. There have been some other problems in drafting this latest Conference Committee and part is involved that we have worked so closely with, and right here I'd like to congratulate Senator Davidson, members of the Conference Committee, the Mayor of the City of Chicago, the Governor of the State of Illinois, as finally getting to the point for us to realize that what we had required to be is,

in fact, included. I feel it's a fair piece of legislation now. I think those of us that had questions about it, most of those questions have been answered satisfactorily. I intend to support this bill because I have no other problems the way it is structured, and, again, my congratulation to you, Doctor Davidson, and those that have had some close connections; and I would certainly hope that we would go on to walk this bill out of here, and let me announce that the House has already passed it with a three-fifth majority, and we could go on to something else and get this off our backs and go on to setting up the program for the benefit of the State of Illinois. Nobody here detests the Clean Air Act but some of us did detest the way it was structured. It has been restructured to the satisfaction of...of myself and those that I have been working with. And I would urge an Aye vote from all members of this Senate.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. For the record, I had indicated when we started this dispute over this legislation that if the bill was redrafted so that the cost would not fall on the vehicle owner that I would support it, and on that basis, I will be voting Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, if I might, I'd like to ask the sponsor a couple of questions.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. If we can move the caucus away from Senator Rigney's desk that's in the aisle. Senator Davidson...indicates he will yield. Senator Rigney.

SENATOR RIGNEY:

It's my understanding that I believe about forty-four states have a program of this kind. How many of those states does the state pick/up the tab for the inspection?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

I...I...they don't have that information at their fingertips, the only one I know for sure is Indiana out of the...there's forty-two states that already have it, Senator Rigney. I know for sure that Indiana does. I will try to have this information before you come to vote if they can give it to me.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

I've been told that the answer to that question is two, that Indiana is one of the two. The second question is, of those two, how many take the money out of the Road Fund?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

I don't know.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

My understanding is the answer is none. So what we're just about to do now is to embark upon a program that I understand is going to cost about thirty-five million dollars out of our Road Fund. Now you...I think most of us around here, as downstate legislators, over the years have thumped on the table and turned red in the face and argued that issue many times over about diverting funds away from the Road Fund, that when we do these things then we can't pour concrete. Well, we are just about to throw away thirty-five

million dollars worth of concrete for a program that it's my understanding if...if Senator Fawell is correct, we're out of compliance about a hundred and sixty-six hours in this State, so we're going to throw away that thirty-five million dollars worth of concrete to satisfy, apparently, the EPA in Washington. I think this will have to go down, in the words of Senator Egan, as probably...the absolutely the worst bill of the Session, one that is the most uncalled for, one that's going to be the most difficult for us to justify when we get back home and try to explain to those people who are paying our motor fuel taxes why we are spending their money in this fashion. I think it's incredible to think that Illinois is apparently going to be the only State in the union that's going to be willing to take money out of the Road Fund to implement a program of this kind.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

END OF REEL

REEL #2

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Kenneth Hall.

SENATOR HALL:

Senator Davidson, are Federal vehicles included in this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Yes, they are.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall.

SENATOR HALL:

Now when they'd fail to comply who's going to deal with them?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, I could give you a smart answer and say we, the taxpayer, but if they fail to comply, the registration plate which is on their vehicle which is furnished by the government can be removed by request from the Secretary of State and therefore it wouldn't have a registration plate on it as you've seen many of them...driving up and down the highway.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Hall.

SENATOR HALL:

Well, you know as well as I do and everybody sitting here, if these mail trucks and others do not comply, you know very well that no inspection plate and the Secretary of this

State is not going to be able to revoke anything from it.
Now don't hand me that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, Senator Hall, since the Federal Government is making this request for us to comply and we're going to have to do it, I'm not sure but what you're very apt at doing a simple jawboning something I'm sure with the right remarks from yourself and myself and a few other people that whatever Federal vehicle in your area is not in compliance will certainly very quickly get in compliance.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Is there a five-year contract in there for the person who's going to do this?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

It's a possibility of up to six years.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Kenneth Hall.

SENATOR HALL:

One other question.

SENATOR HALL:

I understand that Indiana schools do this testing. Have you looked into why...aren't we able to do...I think we're just as great as Indiana, I mean, why is...no one ever went into that here?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, two, we ran that up the flagpole and one is to stay

within the compliance of no more than twelve miles...was one. Two, how you going to refund a fund...or payment from the State to a non or tax supported facility who would have to bid in competition with a private contractor under the Purchasing Act; consequently, with their low overhead they're certainly not going to have a private contractor an opportunity to have a fair chance to be competitive.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Hall, your time has expired. Do you wish to continue, Senator Hall?

SENATOR HALL:

That's okay.

PRESIDING OFFICER: (SENATOR BRUCE)

Okay. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in support of Conference Committee on 1704. And I'm going to tell you the difference why between this compromise proposal in this Conference Committee and exactly what...what was in the other bill. First of all, this bill meets the compliance of the Federal EPA. And it wasn't for a naught visit that Mr. Ruckelshaus came here from Washington D. C. seeking the advice and counsel as requested by the Governor in order to put this State in compliance from a very difficult, political, sensitive public issue matter. This is not an easy matter to justify to the people in our respective communities but it has to be done. Ruckelshaus pointed out quite vividly the serious fiscal impact that this State will be exposed to if we do not comply by a federally approved program. The important part of this compromise, it meets the Federal requirement. It also brings us into the compliance factor, takes out the out-front money which was objectionable to many of us in the original proposal, provides that it goes to a bid basis, provides that EPA sends out the letters first

and then a follow-up as far as the termination notices is by the Secretary of State. It also...the fiscal impact...the gentleman from Red Oak mentioned the fact that thirty million dollars...or thirty-five million dollars would be costly. The first Federal impact on this bill if it does not pass is a hundred million dollars and it escalates to approximately six hundred million dollars in five years. That's your road program. That's what you're going to lose if this bill does not pass. Now I know it's a heck of a lot easier to go back home and say you voted against it, but when there are forty-two states that are in compliance on auto emissions, it's impossible to ask your Illinois delegation to...to...to make sure that the money continues to Illinois, because the other congressional districts in the other states will say, we have to comply to it, why is Illinois an exception? Illinois should lose the money then and I, for one, cannot justify that matter and I think this is a reasonable compromise and does merit your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President, Ladies and Gentleman of the Senate, once again the hour is...it's early but, nevertheless, I...I do want to take just a...a few moments to talk about this piece of legislation. Once again, we are dealing...just as we did with the previous bill, we're dealing with a...a bill which is the result of negotiations which have gone on over a period of time. And we have had discussions here on the Floor of the Senate on...about this subject, and I am one of those who has had an interest in this topic from...from early on. One of things...one of the unfortunate things in the compromise that has...has evolved from my point of view is the fact that it calls for a centralized program. I have a drawer full of amendments that would have provided for a

decentralized program...a...a type of program which I think is in the long-range best interests of...of...of the constituents that we serve as well as for a very large number of small businessmen here in the State of Illinois. Unfortunately, because of the way this topic has progressed...the way our deliberations have progressed, I have never had the opportunity to...to offer those amendments and have them fully debated and...and discussed. So here...here I am, presented with a...what is to my view an imperfect solution to a very knotty problem, and I'm going to have to make the decision to...to vote Yes or No on this...imperfect...imperfect solution. And I have to balance the imperfect solution against the potential loss of over a hundred million dollars in...in money for our...our State road programs. And adding the pluses and minuses, I guess I'm going to have to be...I'll have to come down on the...on the...the green button on this particular issue but I want to be on record as...as having predicted that we are...we're creating some problems for ourselves, I think, by having a centralized program.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Davidson indicates he will yield. Senator Coffey.

SENATOR COFFEY:

Senator Davidson, as I understand it, you just a few minutes ago said that this program could be up to a six-year program. Is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

That's correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

In that six years, as I also understand, there is...it could possibly cost the State of Illinois between thirty-five and fifty million dollars in Road Fund dollars. Is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, if the estimate of approximately ten dollars per car testing is a correct fee, with approximately 3.4 million cars to be in...to be tested, you're talking about thirty-four million dollars if the estimate figures given to me are correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Who in the State of Illinois would be qualified, in your opinion or...do you have the answer, to bid on this project as set forth in this piece of legislation?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

The qualifications and the standards, et cetera which will...the contractor or whomever is going to bid on this, those rules and regulations or standards would be put forth under the bidding procedure of the Purchasing Act. And they would put in the standards that is necessary for this person to perform the financing, the network design, the land acquisition, the facility design and construction, the equipment procurement and installation, the network staffing, the

training, the network operation, the data acquisition and processing. That...whoever bids on this is going to have to meet those kind of standards.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

In the event...of a car dealership and their operation, are they under this legislation going to be able to test the used cars or the vehicles that they have within their operation?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

According to my handler, yes, they are.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey. Your time nearly has expired, Senator.

SENATOR COFFEY:

Well, if you could very quickly tell me what procedures that dealer would...or is that dealer going to have to go through the same procedures you just mentioned for the bidding?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

He would have to have the same kind of equipment and the same kind of trained personnel.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Mr. President and members of the Senate, as you know, I've been working with this legislation also and I've had several concerns and one of my concerns was that the five-year program which was in this bill earlier was too long, the State was making too large of an obligation on a

program they wasn't sure was going to work and requested that we go to a one- or two-year program and at one time that was going to be discussed as a potential part of this bill. Now, instead of going to one or two years, we've went to six years. And if...if the facts that I have would be closer to fifty million dollars a year, we're talking about three hundred million dollars worth of diversions out of the Road Fund. And just to take a look and now we get tied to a six-year contract and there's two different states that I've taken a look at, one is Mexico and the...and...the...the state...they're trying to get out of a contract and the other is California. I'd like just to point out quickly here what happened in California, if I could. Waiting in line more than three hours for a mandatory vehicle smog test, what was the...what he thought was an official state government inspection station in West Los Angeles, behind him are forty-three other motorists who were also growing impatient. These people waited in line for over three hours in the hot sun. Many of those people was turned down after the testing procedures, told they were going to have to go to another....another...station to have their car worked on. Then they have to go back for another fee which we, the State of Illinois, is going to pay for. Now we talked about what the test on the first case was going to cost us, it's going to cost us ten dollars. They have to return again to this same station to get another test at another ten dollars at the cost of the State of Illinois. If those vehicles makes two...trips, we're talking about a hundred...we're talking about a hundred thousand dollars...or a hundred million dollars. We're talking about it's going to cost us more money or as much money as we're going to lose in Federal dollars under this kind of provision. I think we ought to take a serious look. California is trying to get out of this proposal. They're trying to get out of it and they have went

now to a...went to the other system where they...the filling stations and the garages in that state can now test those vehicles. And they don't have a waiting line and it does not cost them any more dollars. And yet we see the statistics in other states and we're about to do the same thing at the cost of the taxpayers of this State and the Road Fund. I think we ought to take a serious look at this bill before passing this. We've got another Conference Committee we can come up with. We can come up with a...a proposal that we will allow our filling stations and our garages to be able to do this testing...

PRESIDING OFFICER: (SENATOR BRUCE)

Max...Max...Max...Max...Max...Max...Max...Max...Max.

SENATOR COFFEY:

...and if you people think it's...that the concern was the ten dollars that they were going to have to pay is going to upset your constituency, wait till they have to wait in line for three hours and then return and make three different appointments, three hours the first time then go get their car worked on and come back. Talk about three times to get this job accomplished and at a cost that could very well be larger...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey. Senator Coffey, can you bring your comments to a close?

SENATOR COFFEY:

...well, there's been a lot of other issues here and we got one of the most important issues before the General Assembly here tonight, and all of a sudden we're in a hurry and I understand the House has already went home for...for another...to come back tomorrow at noon. And I think this bill is important enough that the Body has got time to listen to a few facts and that we don't need to shovel this under the rug and cost the taxpayers of this State millions of

dollars. If we're tied to a six-year contract, we find out in a year or two...you people that's in this area and this is not in my area that...that finds...these people are going to be waiting...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey. I'm sorry, your time really has expired, Senator. You...we could get back to you a second time, yes. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President, very briefly. The...the decentralized plan which is not what is embodied in this...the decentralized plan provides two incentives. First of all, it provides the incentive for performing unnecessary and expensive repairs, and it provides the incentive for fraudulent testing. And I don't think anybody here wants either of these incentives. Now the Illinois Environmental Protection Agency has done a...a study about the cost of supervising centralized versus decentralized. The centralized cost for supervision is one million nine hundred and sixty-five thousand dollars. The decentralized cost for supervision is three million eight hundred and seventy-one thousand, twice the cost for supervising under decentralized with the incentive for fraudulent testing and for unnecessary and expensive repairs. I think clearly this is the best package; right now, frankly, at two o'clock in the morning, it's the only package. And I solicit an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield...Senator Buzbee.

SENATOR BUZBEE:

...it's my understanding that if we don't pass...if we...

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please.

SENATOR BUZBEE:

...it's my understanding if we don't pass this, we're going to lose one hundred million dollars in Federal highway funds in this coming fiscal year. Is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

That is correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

It's my understanding if we do pass it, we're going to spend forty million dollars, 4-0 million dollars to pay for all the testing of the vehicles, thirty-five to forty million by the time you count administrative costs in there. Is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

That's a possibility if the figures they gave as what the costs could be...could possibly be that much, but probably not in one year 'cause we do have to get started up. They're not going to have these lanes built, you know, over night.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, let me run through just a little bit of arithmetic with you. We get generally seventy-thirty match funds from the Feds on highways. So what is going to happen, we're going to...we're going to save...we're going...if...if we...if we do what you advocate, we're going to gain the one hundred million and lose forty million, that's a net of

sixty. If we don't do what you advocate, we're going to lose one hundred million and then on the seventy-thirty match we're going to get a hundred and ten million back on the forty that we would have spent to comply. So, net, we are going to gain ten million dollars this first year if we beat your bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

That may not be necessarily true because a tremendous amount of the projects run ninety-ten match. Fact, almost all the most expensive projects in the State of Illinois are ninety Federal, ten State.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, thank you, Senator Davidson, you played right into my hands, 'cause then instead of gaining ten million, we're going to gain about forty million by defeating your plan. Because we'll lose the one hundred million and then we get ninety-ten back on the forty that we don't have to spend and we're going...we're going to gain about...we're going to have a net gain of about forty million dollars if we beat your bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Well, your arithmetic may make sense to yourself, but how can you gain forty million when you've lost the hundred million the first year and over the five years could be up to six hundred million on...on funds? Now, you know, you cut it any way you want, but how can you gain on when you just took a hundred million right off the top whether you spent forty million to get it? That's the sixty million net using your

top figure beginning out of the chute. That's sixty million gain.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Well, I...first of all, I...I...I modified my statement when I started by saying this first year. The fact of the matter is, if we use...if we lose the forty million, we don't have to spend...pardon me, if we lose the one hundred million, we don't have to spend the forty million to test everybody's vehicle. And that forty million is going to generate about seventy million or eighty million more in Federal match funds or ninety million more which gives us a net increase of ten to thirty million. It's bad...it's good arithmetic, it's bad policy, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, when we first formed this task force, Senators Joyce, Senators Hall, Senators Lechowicz, Senator Chew, Vadalabene, Davidson, Keats, Pawell, Watson, Coffey and Barkhausen, we spent many long hours collectively and individually gathering the information and talking to individuals and hearing testimony. Our concern were four points; the geography, the cost, fees; centralized or decentralized and the enforcement. I think that the people that had spent the time and the hours to try to put together a package that would be compatible to as many people as we can was tremendous effort. It's not the best package, it doesn't satisfy all of everybody's individual requirements and needs, but it does answer the question on meeting the EPA standards that our Federal Government has foisted upon us. I intend to support this legislation. I don't think it's the best, we don't all gain from it and we

all lose a little. But it's something that must be done; it's something that, as usual, we have placed ourselves in a position to be blackmailed by the Federal Government, and as long as we keep...putting ourselves in that position, allowing the Federal Government to dictate in all facets of our operation here in State Government, we will be continued to be forced to live under their regulations and have no choice but to enact legislation such as this to comply. I will be voting Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom. Senator Coffey, for a second time.

SENATOR COFFEY:

Thank you, Mr. President. I'll try to be brief in these final comments. I would just like to point out on the decentralized programs some of the groups that wanted to have some impact upon a decentralized system. Now, the Senator just spoke a few minutes ago, talked about the meetings we had and we did have some good meetings. But once...I made a suggestion of going to a one- or two-year program that...the last I knew was going to go into the bill. The next thing I knew, I was never invited to another meeting after that. So it seems if you...we wasn't agreeing exactly what was going on, I wasn't invited back to another meeting. But here is some of the groups that was for...decentralized systems, Atlantic Richfield, Chicago Association of Commerce and Industry, Firestone Stores, Incorporated; Illinois Automobile Wholesalers' Association, Illinois Gasoline Dealers, Illinois New Car and Truck Dealers' Association, Illinois Petroleum Council, Illinois Petroleum Marketers' Association, Illinois Service Station Operators' Association, Independent Garage Owners' Association, Midwest Petroleum Marketers' Association, Motor Vehicle Safety Council, National Federation of Independent Business, Sears, Standard Oil of Indiana, Texaco U. S. A., Illinois State Chamber of Commerce, Montgomery Ward

stores, Illinois Retail Manufacturing Associations and many others. Now, it seems that those groups wanted to have some input on a decentralized system and one that would probably work, and we'll find ourselves back here in a year or two and...and at a large cost to the State of Illinois and we're going to see the day we're going to be sorry unless we turn this down. We've got time for another Conference Committee, we can...yet do that tonight, we're not going anywhere. And like I say, the House is going to be here, so we might as well stick around awhile too. I'd ask for us to vote against this Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This...this it seems to me that we talk about the art of compromise, well, this is going to cost a hundred million dollars for the affected area. Now the people that aren't affected, it's going to cost them...their part is going to be part of thirty million dollars. So let's go back and compromise instead of...ten dollars in the area where you have to get your car tested, let the people in the affected area pay five dollars, that seems to me to be a compromise. This is no compromise, this just spreads the...the cost to the rest of the State. And I'd ask to defeat this and we can really compromise.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the first Conference Committee report on House Bill 1704. Obviously, the House has passed it by an extraordinary majority, and the fact is we live in an imperfect world. The Congress of the United States, much to Senator Egan's chagrin and the chagrin of others, has, in

fact, imposed upon us, mandated us, if you will, as we mandate the schools and the local governments in this State, mandated the Clean Air Act. And under that Clean Air Act, apparently...the director of EPA has no discretion. And I was not convinced and I moved to rerefer a bill that dealt with this subject matter along with the...majority of this Body, but I am convinced. I am reliably informed that the sanctions are in place, they're signed and ready to be effective Monday. And we can talk about a hundred million in Road Fund and only...I don't know who knows how much it will be, it's at least a hundred million. But more than that, there are other sanctions. There are grants under the Clean Air Act that this State receives all across this State that are subject to the same sanctions. And the EPA through a grant from the Congress has the authority also to prohibit and prevent in the event we don't enact something no new plants, no buildings, that might emit or might tinge, further singe or tinge the air. I mean, the law is nutty. The fact is, the sanctions are in place and ready to go, the director was kind enough to visit with the Governor and the leadership of this State and say, I don't have any discretion, it's going to be imposed. We have been delaying action on this for the last four or five years. No more time to delay. The moment is now. I urge an Aye vote, thirty-six of them.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson may close.

SENATOR DAVIDSON:

Mr. President and members of the Senate, let's call some spades some spades. The list of names who were read off were for decentralized, I can understand that, they're all on business. But to make sure what Senator Marovitz alluded to, no scam is ran onto the people of Illinois. The people who contract to do this testing cannot do the auto repair. If you go to the independent decentralized bidding, they're

going to be able to do both, and how many cars are going to be tested that don't have to be repaired? Senator Buzbee, only one little point wrong with your arithmetic. You don't start paying for the test...the test doesn't begin till January 1, 1986 but the hundred million dollars is lost this year. And Senator Rock was correct, the sanction letter has already been signed, waiting to be delivered to Governor Thompson Monday morning, opening of business, July 2nd, if we don't do something. If we show by passing this bill that we have intent to correct our problem...also a little cost effectiveness on decentralization. When it costs about trying to have the State inspect all these...these places, according to the EPA's estimate under...a centralized program, be approximately one million nine hundred and...sixty-five thousand dollars in a year. Under the decentralized program, it's three million eight hundred and seventy-one thousand; double the cost of just policing it, just policing it. People that play...going to play Russian roulette, that's your prerogative. I don't like those odds. I had those odds one time, forty years ago, I was fortunate enough to survive them, and I certainly don't want to go back to trying that again this time. You want to play the game of whether you want to blow that kind of funding, and it's going to affect every project in this State. Because if the Federal money drops off for a project, for instance, it would cost ten million dollars and it's a ninety-ten split and it's a high priority for public health and safety...Senator Buzbee, let me have your attention, I'm talking to you. If you knock off...you drop off that money, and Department of Transportation has proven that it's a high public safety incident to be...has to be repaired for the protection of the public, that nine million dollars comes out of the State fund which in most instance and your my...your area and my area which is more State highways paid by the State funds only,

we're the ones going to suffer because we won't have a high priority. I urge all of you to vote Aye and let's save this fund to put lots of people to work.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report to House Bill 1704. Those in favor vote Aye. Opposed vote Nay. The voting is open...this will require thirty-six affirmative votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 23...all right, Senator Davidson...has asked that further consideration of House...the Conference Committee on House Bill 1704 be postponed. The matter will be placed on the Order of Postponed Consideration. Senator Davidson, on House Bill 2339, you have a motion on Department of Aging demonstration grants. Oh, Senator Davidson, would you wait just a moment, the Secretary has several messages we'd like to get in to start the process and the paper. Is there leave to go to the Order of Messages from the House? Leave is granted. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendments 1, 3, 4, 6, 9...through 32, 34, 35, 36 and 37 to a bill with the following title:

Senate Bill 1554.

They asked for the first conference and the Speaker has appointed the members on the part of the House.

I have a like Message on Senate Bill 1558 with...with House Amendments 1, 2, 3, 5, 6, 7, 8, 9 and 10.

A like Message on Senate Bill 1574 with House Amendments 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 15, 16, 17, 19, 21, 22

and 24.

A like Message on Senate Bill 1599 with House Amendment No. 2.

And a like Message on Senate Bill 1844 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR BEUCE)

Senator Darrow moves that we accede to the request of the House that a Committee of Conference be appointed on those just named bills. Is there leave? Leave is granted. Senator Davidson, are you ready to proceed? Senator Davidson, are you ready to proceed on 2339? Senator Davidson is recognized for a motion.

SENATOR DAVIDSON:

Mr. President, I move that we concur with...Conference Committee Report No. 1 on 2339. It puts in the language which we put in here in the Senate with an amendment that makes sure that all the health care professions would have to report any elderly abuse. And secondly, it puts in the language so that those who make the report would not be held liable under civil for breach of confidentiality. That the Statute says that any of us in the health care profession who must make this report cannot be held liable for the breach of confidentiality. I move the adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Davidson has moved the adoption of...of Conference Committee Report No. 1 to House Bill 2339. Is there any discussion? Any discussion? The question is, shall the Senate adopt the Conference...first Conference Committee report on House Bill 2339. 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? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting

Present. The Senate does adopt the first Conference Committee report on House Bill 2339 and the bill having received the required constitutional majority is declared passed. 2368, Senator Rock. Senator Rock is recognized for a motion on...on House Bill 2368.

SENATOR ROCK:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. House Bill 2368 is the amendment to the Regional Transportation Authority Act that Senator Keats and I discussed at some length. As you will recall, it was amended in the Senate to provide for a salary for the members of both the Commuter Rail Board and the Suburban Bus Board. The House did not concur in that amendment. The Committee on Conference decided that the Commuter Rail Board since its responsibility and authority was more than the Suburban Bus Board was entitled to a salary; therefore, the Conference Committee Report No. 1...establishes a salary for the members of the Commuter Rail Board, fifteen thousand dollars annually for the members and twenty-five thousand dollars for the chairman. That is all it does, and I would urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock moves the adoption of Conference Committee No. 1 to House Bill 2368. Is there any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Question of the mover of the Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates...

SENATOR LECHOWICZ:

Who is the chairman of the Commuter Rail Board?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I do not know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, if my memory serves me correct, we just created this last year with the RTA compromise, and I believe that there is rail board and a...a Suburban Bus Area Board as well and maybe Senator Philip could answer me who is the chairman of the rail.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Jeff Ladd, he's a lawyer who practices in Chicago, I believe he lives up in the McHenry County, and I think he used to be the chairman or president of the local busing district up there. So he's very well-qualified and got good experience and, quite frankly, he ought to get something for his time and effort.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. And how many members are on the board then? I don't remember how many we put on there. Seven. And this is then paid from what fund?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, you want to...repeat your question?

SENATOR LECHOWICZ:

My question, Mr. President, is what fund is...are the salaries paid from?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I can't answer that. I don't know. I...I presume from the...from the Regional Transportation Authority Fund, because they are a service board, but I...or from their own revenue. I...I just...I...I can't answer that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz. Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...indicates he will yield. Senator Sangmeister.

SENATOR SANGMEISTER:

Now, I may be wrong, but if I recall, when we...we reformed the RTA, the board went on a per diem. The question is...is, does this bill put them on a salary?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, you...Senator Sangmeister, we created an umbrella board and three...effectively two additional service boards. The CTA remained in existence as it was, as it is, then the Commuter Rail Board, the seven-member board, and then the Suburban Bus Board made up of suburban mayors essentially. The umbrella board is to receive a annual salary, and the...the request from...from some was that the Commuter Rail Board was equally entitled to a salary and they, too, should receive one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister. Further discussion? Senator Rock may close.

SENATOR ROCK:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. As I indicated, the service board feels they

are entitled to compensation not unlike the Chicago Transit Authority Board. The salary called for in the Conference Committee report is fifteen thousand for the members, twenty-five for the chairman. It comes out of, I'm reliably informed, their budget for the amount of money they...they're afforded to expend each year, and I would solicit your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall the Senate adopt the first Conference Committee report on House Bill 2368. 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 15, 1 voting Present. The Senate does adopt the first Conference Committee report on House Bill 2368 and the bill having received the required constitutional majority is declared passed. House Bill 2381, Senator Vadalabene. Senator Vadalabene is recognized for a motion.

SENATOR VADALABENE:

Yes, I move that the Senate adopt the second Conference Committee report on House Bill 2381. The House just adopted the Conference Committee report by a hundred and four votes and the problems has been cleaned up in...in regards to the Illinois Commerce Commission to set the lowest rates for relocater service but in no event to exceed forty-five dollars. Seven years...it's been seven years since there's been an increase from thirty-five to forty-five. It's passed the House and now I would ask for a favorable vote here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Vadalabene has moved the adoption of the second Conference Committee report on House Bill 2381. Is there any discussion? Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I also rise in support of the second Conference Committee report on House Bill 2381. It also gives the fire protection districts and municipalities some say as to what the charges by water companies and utilities will be and I hope we can adopt it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate adopt the second Conference Committee report on House Bill 2381. 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 55, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report to...on House...on House Bill 2381 and...and the bill having received the required constitutional majority is declared passed. House Bill 2400, Senator DeAngelis. Senator DeAngelis is recognized for a motion.

SENATOR DeANGELIS:

Thank you, Mr. President. Conference Committee Report No. 2 on House Bill 2400 puts the bill in exactly the way that it passed out of the Senate, 55 to 1, except that it renews the program for one year beyond the first year. I'll answer any questions or urge the adoption of Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator DeAngelis has moved the adoption of...of the second Conference Committee on House Bill 2400. Is there any discussion? Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. My...my concern, Senator DeAngelis, is really basically what does it do now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

It does exactly what it did the first time it passed the Senate except it's a two-year program rather than a one-year program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Well, alright...what is that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

It is a five hundred dollar merit recognition scholarship to all students who are in the top five percent of their class in the State of Illinois who attend Illinois colleges or universities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Alright. Now, there...there was some controversy over doubling the amount and limiting it to tuition and fees. This doesn't do that in either respect, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes, it's a nondiscriminatory version.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Alright. Now, there was controversy that arose without those limitations within the Federation of Independent Colleges, and, Senator, frankly, I didn't sign the Conference Committee report because they asked me to reiterate their opposition based on the reasons that they set forward and that was that they would like to have limited it to tuition

and fees and not have an additional five hundred dollar for need. You've taken that out, but there is no limitation now on tuition and fees, and I'm still committed to the opposition that they have, and I...I hope you understand that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I understand that, Senator Egan. There...this is the second Conference Committee report on a bill that was severely amended because any bias you put into this loses support in many directions. So, as I said, we try to do a nondiscriminatory type system.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Netsch. Senator Schaffer, can you...Senator Schaffer.

SENATOR NETSCH:

Thank you. Will the sponsor yield for another question, just to be clear? It is a five hundred dollar merit recognition scholarship awarded as you indicated. What is the total cost and is this included within the Scholarship Commission's budgeted amount? Will this be an add-on? Will it reduce their otherwise available funds?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

The estimated cost will be approximately 2.1 million dollars. Senator Netsch, this will not be paid until 1986, because the students will be selected next spring. The Board of Higher Ed. has signed off on this and has indicated to me, as they did this year, they're going to make a provision and their request for merit recognition which will be separate from what the normal MAP Fund amount will be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

And...basically, it is pure merit recognition without any need component, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. As one who spends considerable time in the classroom and who also has to deal with constituents who are oftentimes searching for ways to send their children to school, I have to say that this is an awfully good idea whose time has finally come; frankly, it's a bill for the middle class. It's a bill for all of those constituents of ours who have too often complained when they go looking for help, they can't find it. I agree with Senator Egan's problem, but at this late hour, I think we have to settle for Conference Committee Report No. 2, and I would urge your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. Just to rise in...in support of the second Conference Committee report. There were two meetings on this subject matter, and I did have my reservations, but...as...as the Democratic member on this side of the aisle who did sign the Conference Committee report, this is a very, very good compromise, and...merits each and every individual's support on this matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis may close.

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Conf Comm. Report

SENATOR DeANGELIS:

Well, just if somebody might have had some fear. This is a bill for all classes, because the very needy students will still be getting their MAP awards and the five hundred dollars will not count on that part of the award. I urge the adoption of Conference Committee Report No. 2 on House Bill 2400.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall the Senate adopt the second Conference Committee report on House Bill 2400. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report on House Bill 2400 and the bill having received the required constitutional majority is declared passed. House Bill...Senate Bill...Senate Bill 1179, Senator Lemke. Senator Lemke is recognized for a...motion on Senate Bill 1179.

SENATOR LEMKE:

This amends the Illinois Parentage Act. It makes the various changes...contains a policy statement that children have a right to be supported by their parents. Clarifies a conflict...expert opinions and blood tests results are admissible. Clarifies that at the pre blood test hearing at which the party may object to...testing, each party pays for their own expert fees. If the expert is appointed by court the objector pays. Provides that a settlement orders that would require that a child support be paid by the alleged father but do not adjudicate the paternity may be entered into, the entry of such order does not bar a lighter suit by the child; and deletes objection with sections as far as the evidence, and provides a showing by the defendant would unduly be prejudice, the defendant's right of the court upon consid-

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C. E. R.

ering all circumstances equitable considerations may be dismissed to cause of action. I think it's a bill that's been worked on for two years by our staff and everybody concerned. I think it's a good bill, has met many of the challenges and try to make compromises and to speed up. I think this bill will help assist the State in collecting money that the....that the parents owe to the State for supporting their children. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Lemke has moved the adoption of the first Conference Committee report on Senate Bill 1179. Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, as minority spokesman, a member of the Conference Committee, I concur with Senator Lemke and ask the approval of the Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1179. 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 56, the Nays are none, none voting Present. The Senate does adopt the second...the first Conference Committee report on Senate Bill 1179 and the bill having received the required constitutional majority is declared passed. Bottom of page...bottom of the Supplemental Calendar No. 6, Senate Bill 1128. Senator DeAngelis. I'm sorry. 1929...Senate Bill 1928.

SENATOR DeANGELIS:

Thank you, Mr. President. Senate Bill 1928 when it went out of this Chamber was an indemnification bill. Since that time it's got a few things added to it. The first thing that

it's got is Senate Bill 1881 which passed both Houses but was technically flawed so it's being corrected through the...the Conference Committee report. It also concurs with House Amendment No. 1 and No. 2 to the bill. It also includes not-for-profit organizations which volunteer services to the State under the bill's indemnification process. Now, it's got one other thing and I'd like the Body to pay attention to this. It does remove the requirement that the Director of Mental Health be a psychiatrist. However, with it, it creates...it removes some of the fears that people have had who have opposed it. It creates a deputy director who is in charge of clinical services and it...work with the medical society to put all the bypass necessary to, in fact, ensure that the clinical services remains in the hands of the psychiatrist. I'll be happy to answer any questions. If not, I urge the adoption of Conference Committee Report No. 1 on Senate Bill 1928.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Schaffer, on the adoption.

SENATOR SCHAPFER:

Senator DeAngelis, I haven't had a chance to look this over but a year or so ago I think we passed a bill...or there was a bill that you had and my principal reservation at that point wasn't that I felt that we had to have a psychiatrist to run the Department of Mental Health; in fact, make a pretty good argument sometimes that didn't make too much sense. It's just that in drafting the Mental Health Code the committee to rewrite worked on the assumption that the director was a psychiatrist. And there are numerous references and decision making mechanisms that eventually come to the director that are based on the assumption that he has some clinical credentials and background. Now if I interpret what you're saying is that there's language here that...deflects those type of clinical-medical psychiatric

decisions to someone with appropriate credentials. Having not looked at it, I'm prepared to take your...your...at your word. I guess at this point my question is, have the...has the medical society signed off on, if not the concept, on the language of...of deflection? I...I'd just like to know if they signed off on the...on the language and if they've modified their position on deflection to see if the docs are still, you know, very violent against this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Schaffer, yes, we did. One of the reasons the report is so late in getting here is that our staff people worked with them to put the...deflection language in there. It might be necessary further on to perhaps amend it, but to the best of our ability, we attempted to put it in there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

All right. Senator Schaffer had a question wanting to know where the medical society is, I think they're either benignly for it or benignly opposed to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator...Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...rise in strong opposition to this. Acting Director Belletire, what we're doing is saying that he can be director. Now it seems to me that he would be fine in industry, Director Belletire would, if he were sent around to...to close factories and move them to the South, but that's not the purpose of the Mental Health Department and I...I think that it shows. We have Mental Health Departments...or mental health...facilities that are

being closed, but we're not sure where we're going to put the people that are in there. We're losing money from the Federal Government right now because of overcrowding in some places where they're going to move other people to. So I think...I rise in strong opposition and I'd like people on this side of the aisle to take note. Acting Director Belletire is in the process of closing Manteno Mental Health Center, that's nine hundred jobs in my district. And I...I just...I think...I find it offensive that we are doing this at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Joyce, you got a great argument, that's exactly the reason I'm going to vote for this bill. Have you ever met a psychiatrist who wasn't a little wacko? And you want them to run the mental institutions? Let me tell you, I'm glad we've got a businessman that wants to take on that challenge. And I'll tell you, there's enough psychiatrists on that staff for everybody. In fact, I'm thinking about putting one on my staff, perhaps it's a good idea. But we ought to let a businessman run that department, they'll do a lot better job than a psychiatrist.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, my colleague over there must remember that I voted to give three hundred acres to his area so you get industry in there to get jobs to replace the jobs you might lose from Manteno. And I might tell you that I worked with this...acting director and I worked with the prior one who was a psychiatrist, and in all due respect to him, we don't

need psychiatrists running the administration of that department. It would be just as bad if I were office manager in my law office, I'd be a disaster, that's why I have a bookkeeper. So I would like to speak in favor of this bill, because I can tell you the present acting director has been doing a darn good job and he's got common sense and business sense and I speak in favor of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bruce.

SENATOR BRUCE:

Well, thank you, Mr. President and members of the Senate. I rise in opposition to this bill. And...and, Senator Geokaris, you probably made the best argument why Mike Belletire should not be. You are a lawyer and you run your office and practice law there. We ought not to practice law with non-lawyers and you've hired a business manager. We ought to have a director of this department who understands the medical mental problems of the people over whom and for whom he is responsible. Mike Belletire is probably one of the brightest people in the Thompson Administration, but that does not mean that he understands the complex problems of the mentally ill; that post ought to be run by someone who understands the medical problems. Under him, Senator, are all those people, administrators, accountants, bookkeepers, personnel directors, all those people, they run the department. The policy decisions, however, need to be made by a person who understands. We hire university professors to run our universities, and under them, they have people that understand the operation. It just seems to make good sense to me that we have medically trained individuals at the top, let them hire the administrators to work below them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. Speaker...Mr. President and members of the Senate. I can only reiterate what's already been said by Senator Geo-Karis and others. I do think that management expertise is important in this particular post. I wouldn't rest on that qualification or criteria alone, however. Now, it just so happens, Senator Joyce, that we treat the problems of the mentally ill in more than one place in the State of Illinois. And in my district we treat those people in community mental health centers. And I've taken the time to go around to my community mental health centers, and I've asked them about the performance of the present director because I, too, was concerned about whether or not we needed someone who was a psychiatrist in that post or whether we could have someone who had the management expertise and who could, in fact, administer that department. And I tell you this gentleman comes back with the highest of marks, the highest of marks in...in probably the last ten to fifteen years in this State Government. For that reason, because he's done a good job, and he's indicative of the fact that we can, in fact, put someone who's a management expert in there, who isn't necessarily a psychiatrist, we ought to vote for this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President. Very briefly, I don't see anything wrong with this Conference Committee report. We did the same provision for public health, and Ray Kempiners did a heck of a job as the Director of Public Health. And I personally believe that a man who has the talents and the ability to attract good people will attract the professional people as well as the business people. And I don't believe that there should be any restrictions of saying that you have to have a Ph.D. or a doctor in internal medicine or a doctor

of external medicine in order to be a qualified member to run the Department of Mental Health. I think that the budget, if you look at the budget, has a number of doctors that are experts in certain fields, and I'm sure that the Governor in his wisdom will appoint and recommend to the Senate for confirmation a qualified, capable person; and if he's not, we can reject him at that point. I personally believe this is a good Conference Committee and should be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer. Oh, I'm sorry, is that your second time? A...Senator Collins for a first time.

SENATOR COLLINS:

...point of order. Now are we dealing with the confirmation of Acting Director Belletire or are we dealing with the Conference Committee report, first Conference Committee report of Senate Bill 1928? Because all I hear here, we're talking about...the acting director. Although I don't agree with the changes, but we most certainly should not assume just because these changes are made, that he will be confirmed by this...the Senate and the argument...the way the argument is going right now, it is to...preconclude that he will automatically be confirmed by the...by the Senate for this position.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco, for a first...Senator D'Arco, pardon me, your light came on after Senator Bloom. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I rise in support of this. I sponsored the legislation to which Senator Lechowicz referred. And the experience with the Department of Public Health, notwithstanding the arguments that were made against that legislation, many of the same arguments that are being made tonight, has been pretty darn good.

And as a matter of fact, this Conference Committee report has the kinds of safeguards that ensure that the input of qualified, trained professionals will indeed affect the policies of the Department of Mental Health. And the point that Senator Collins made is well-taken. We're talking about someone to run a very large agency and that person is to be the director of the agency and certainly not the shrink for the people that are in our institutions. There's nothing wrong with this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

...personally, Mr. President, I could care less if the director is a psychiatrist or not, so I move we adjourn until tomorrow.

PRESIDING OFFICER: (SENATOR DEMUZIO)

A motion to adjourn is in order. Those in favor signify by saying Aye. Opposed Nay. The...motion fails. Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Wait a minute...hold it a minute...hold it. The House adjourned until twelve tomorrow, so let's adjourn and we can talk to our psychiatrist tonight in bed and then we can come back in the morning and reevaluate all these important bills. Okay? Take a roll call, let's adjourn, come on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Well, I...let me just suggest that...it's late and everybody is getting tired. We have this matter on Calendar 6, we have two...three matters on...two on Calendar 7. I think it's worthwhile to get again to the auto emission. Calendar 8 is on its way up here. I think we ought to afford those members the opportunity to call that which they wish to

call. The House, in fact, has finished in their judgment, don't ask me who's making the judgment, their judgment, everything, and they say everything, but appropriations. And we've scheduled a meeting, the appropriations people are meeting right now in my office. We've scheduled a meeting for eleven tomorrow morning and will, in fact, at the close of our substantive business Recess until noon and hopefully come in at noon and finish up and have a happy summer. In the meantime, I think in deference to the members who have labored over these Conference Committees, we ought to give them the opportunity to run these bills if they so wish. There's...obviously we're at the thirty-six vote requirement. If we can keep the rhetoric to a minimum, everybody I think knows what's in these bills and let's get at it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I certainly concur with Senator Rock. We only have two or three more issues to debate tonight, and if we'd keep the rhetoric down, we'd have a chance of getting out of here. Most of these subjects have been discussed before. We all know what's in these Conference Committee reports and get back tomorrow and...and cleanup this mess and go home for the 4th of July.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Schaffer, for a second time.

SENATOR SCHAPPER:

Well, I'd just like to say that, frankly, we're not talking about an individual, we're talking about a concept and I think it's a good concept. I think the bill appears to have the safeguards in. I think the current director is doing a very good job, I would also tell you that we've had

some psychiatrists in the twelve years I've been here that I thought did a very good job. But the important thing is that the Governor should be allowed to choose the best qualified person to run the department at the particular point in time that the Governor finds the need to fill a vacancy whether that person is a psychiatrist or is not. I would also respectfully point out to you that if we don't do something about the salary for that department directorship we won't have to worry about Mike Belletire, he'll have gone on to...for a better paying job, and we'll have a hard time finding anybody qualified to fill it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Yes, rather quickly. It does not eliminate the requirement, Senator Joyce, that...it eliminates the requirement that the person be a psychiatrist but does not eliminate a psychiatrist from consideration. And, as Senator Collins pointed out, we are not an Executive Appointments Committee, we do have control over that in this Chamber. And I...I, too, Senator Joyce, am going to lose three hundred jobs in that facility but I think blaming the acting director is like blaming the courier that brought the bad news. Manteno is closing as a result of some neglect for some real long periods of time. I urge an Aye vote on Conference Committee Report No. 1 on Senate bill...oh, one more thing. We...we passed the same bill without the bypass last year with an overwhelming majority. I urge the adoption of Conference Committee Report No. 1 on Senate Bill 1928.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1928. 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? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 6, none voting Present. The Senate does adopt the...the first Conference Committee report on Senate Bill 1928 and the bill having received the required constitutional majority is declared passed. Senator D'Arco, for what...purpose do you arise?

SENATOR D'ARCO:

An excellent example of what I'm talking about. It's three o'clock in the morning, that bill has been discussed in this Chamber for five years since I've been here and everybody knows what it does and it gets 48 votes and we spend a half hour discussing it. Now if that's not time to adjourn, I don't know when it is time to adjourn.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis...I mean, Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, having moved...having voted on the prevailing side, I move to reconsider the vote...move to Table...whoop.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis moves...having voted on the prevailing side, moves to reconsider the vote by which the Conference Committee was adopted. Senator DeAngelis moves to Table. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion is Tabled. Senator Rock.

SENATOR ROCK:

Well, let me just suggest now, we're doing fine so far. Let's move to Calendar 7 and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Leave of the Body, we'll go to Senate Supplemental Calendar No. 7, House Bill 3128. Senator Philip.

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END OF REEL

REEL #3

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip is recognized.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move we do adopt Conference Committee report on House Bill 3128, and as you know, this is the alleged reform put together by Senator Rock and myself. I think we've only changed one thing and I'll refresh your memory, we retained the nine service boards. We have a list which we call Group A which abolishes almost forty commissions, some 5.5 million dollars, and we sunset another group called Group B on March 31st and we did make a little change on those specific commissions. We are still keeping until March 31st, giving them that period to justify their existence, Commission on Children, Economical Development, Commission on Mental Health, Mississippi River Parkway, Public Aid Advisory, School Problems Commission and Status of Women. As you know, it puts the four leaders as overseers over these commissions, allows us to set salaries, have a look at contracts, et cetera. So, there is some leadership control over what some of these commissions are doing. Be happy to answer any questions. That is the only change in what we passed here, I believe, with the 59 green votes at one time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion on the adoption? Senator Rock.

SENATOR ROCK:

Thank you. Only to reiterate, this is the commission reform bill. We are effective an immediate savings of some five million dollars. I think it's time we do this. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey.

SENATOR COFFEY:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

Yes, Senator Philip, as I discussed with you before and several of these commissions on here I serve on and I don't have a lot of problems with most of them, but one that I'd brought to your attention and I had understood at one time it was going to do something with and that's Motor Vehicle Laws Commission, and I think it's one of the commissions that's done a great job. What are we going to do about the...the responsibilities that that commission has had on behalf of...not only the Secretary of State but...on behalf of this General Assembly and the many bills that they've dealt with?

What's the provisions in this bill to deal with those subject matters?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Well, it provides that we will have a study in regard to any commissions we have...have...how should I say it, abolished or given them until March and report back to us...this...this fall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Coffey.

SENATOR COFFEY:

I'm sorry, just to get...we've got with that particular group of commission until next March to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

No, that one is gone in ninety days.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

That's my...that's my question. That's what I thought, it was gone on ninety days. So, again, how will that be dealt with in this commission? I mean, we...we've handled, you know, twenty or thirty pieces of legislation that's been before this Body and we're going to find ourselves here on this Floor debating those same issues. I think many of my colleagues that are here serve on that same commission. Like I say, I'm not fighting for all the commissions, but that's one that I'm very much concerned with.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Well, as...as you know, we're not going to be back here, I hope, until next fall and at that time we'll have a chance to have a report from our so-called new formed commission in regards to all of these commissions; but as you know, we arbitrarily came to a...to decision on the A list and the B list, and quite frankly, I'm not happy with every...everything on the A and B list either, but this was the consensus of opinion, it has been a compromise and I think we ought to stick by it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Chew.

SENATOR CHEW:

I think the reorganization is...is...is, first of all, an absolute power grab by the leadership. Now, I work on Commission of Motor Vehicle Laws and that commission has never been criticized. Chicago Tribune ran an editorial and named two commissions that should remain, Status of Women, Motor Vehicle Laws. Now it seems to me that all of the power

here is invested in leadership as it is, and if this is your way to saying, we're going to run this Senate the way four people want it, then you're really not looking for any cooperation because, unfortunately, I never learned to take orders. I can take a suggestion if it makes sense. This commission has been responsible for all of the drunk driving bills and I know some people don't like that; I've been told and indications were absolute. I'm not fighting for all commissions, I think some of them should go, but you should look at the production rate of those that should go and those that should stay. Sure, I have double duty with that commission. I don't mind it because I think it's a productive commission and to see this commission just emasculated for power grab by four men that we elect, that we elect, is a miscarriage of justice for the excuse of grabbing the power. Now you talk about saving money. You're not going to save one damn dime. Not one dime are you going to save. You said that same thing when they cut the number of members in the House of Representatives, a big savings, a big nothing, it just concentrated more power and more people confined to two or three. Now we all are here independently elected. I didn't create my commission, I've just tried to serve the best I knew how, and we have gotten rave reviews on it and I think it should be reconsidered for the worth of that commission as it is, and I don't think anybody on this Floor has a word of criticism about Motor Vehicle Laws. Now, I serve on commissions that have been criticized, rightfully so, but this one lonely commission with the expenditure of a hundred and thirty-four thousand dollars a year isn't enough for anybody to get fat on or anybody to stick a dagger in the back of its operation. Everybody has benefited from this commission. I just...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew, can you bring your remarks to a close,

please?

SENATOR CHEW:

Maybe.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I said, please.

SENATOR CHEW:

And...and I understand that...that most of the leadership was in favor of...of continuation of this commission, but we had a holdout or two, and I don't think it's fair and...and I'm not ready to support this on the basis of what is going on because what it has said, four guys setting up a big high chair and saying, yeah, we'll kill this, we won't fund this and do whatever. That's not your God damn job. Your job is to cooperate with the members that elect you to these various positions because we have the trust in you, so don't lose the trust that we have and the confidence. The members of this Senate...the leadership of this Senate has just as...have just as much authority as the leadership in that House. Why the hell can't we have somebody fighting for what we need over here instead of letting all the decisions be made over here and passed on over to you? We elect you as the President of the Senate and the Minority Leader of this Senate to protect us here, because if you're going to speak for us, be damned sure you get your facts together. Now, it does me no good financially to even serve on the commission, I will...abide by your rules and I want that clear and I'll fight for the...for the continuation of this commission simply on the merits, not politics 'cause it doesn't mean anything to me politically, but it's unfair to emasculate this and put the others on a nine-month course and...and...and go on from there. So, I don't like it. I will not be voting for this reorganization and that is why. I know the reorganization should be, but you're using no discretion with the cooperative attitude towards the members

that serve in this Body...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator, your time...further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, frankly, I rise in defense of President Rock and Minority Leader Philip. I think this plan they've hammered out is a very responsible response to the public outcry, and I might add justify public outcry about the excesses of the legislative commissions; and I would suggest to you, without the leadership of President Rock and...Minority Leader Philip, we would have an even worse power grab in front of us, and let's face it, that's what, in fact, it started out as over in the other Chamber and that's what it was intended to be in the other Chamber, and if it weren't for the leadership in this Body, it would have happened and there wouldn't have been any reform, the money would have just been shifted into the other line items. I'm not happy with all of it. I did want to see some reform. I think it's a responsible compromise and I commend our leadership for winning the commission fight and coming up with the best responsible plan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip may close.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I think, Charlie, you must have been talking about the House version not the Senate version. Be the Senate version, Charlie,...the Senate version, Charlie, has equal members from the House and Senate, Republican and Democrat, and those members decide whether they want a chairman or cochairman and they run each and every commission. There's no power grab on the behalf of Senator Rock and myself, none whatsoever; but I'll tell you one thing, when you find like we have

found a...a ex-member who is making forty-two thousand five hundred dollars a year on a contract and the commission meets two or three times a year, somebody ought to say no. We have another ex-member that's making twenty-five thousand dollars a year on a contract on the same commission. Somebody ought to be able to say no. Now, we...we view this as...as the four leaders, when those things come up that we ought to have some veto on those types of things and where people travel to, how much money they spend and what the hell is going on, but quite frankly, I think generally speaking, the members will be running those commissions. That's our intent, that is our purpose. In comparison to the House, I think this is a good compromise and I'd certainly appreciate some support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, shall the Senate adopt the first Conference Committee report on House Bill 3128. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 3128 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 7, Senate Bill 1733, Senator Philip. Senator Philip is recognized.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the Conference Committee report on FAP 431. I move that the Senate recede from Amendments 1, 5, 6, 7, 8, 9, 11, 13 and 16 and that we do concur on Amendment No. 4 which would provide the State Treasurer with the ex officio...custodian of the Bond Fund money, and Amendment No. 10 which changes the length of the bonds from forty years to twenty-five years. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, would you repeat your motion, please.

SENATOR PHILIP:

Move to adopt the Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip has moved to adopt the first Conference Committee report on Senate Bill 1733. Is there any discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

How are these bonds retired? Is there any money that comes out of the road program or is it...strictly through the toll road or what?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Nothing out...out of the Road Fund whatsoever. It's strictly, I believe, from tolls.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise in strong opposition to the Conference Committee report on Senate Bill 1733. I'm aware of the fact that the Senate passed this bill out in a somewhat similar form, but I don't think anyone thought that was to be its final form. The House spent a good deal of time and put some extremely important amendments onto the bill initially, all of which are being removed in the Conference Committee report, and let me mention only a couple because I think this is very important. The provision that required an environmental impact statement has been removed. Because

there are theoretically no Federal funds involved, although I expect that will be challenged in court, that means there will be no environmental impact study of the toll road. There was a provision, for example, for competitive bidding on the bonds. That has been removed by the Conference Committee report, and any attempt to separate out the toll funding for this new toll road from those already in existence is totally removed from the Conference Committee report. What that means is that all of you who pay on the toll roads that might otherwise be free within a few years or...a reasonable number of years will be paying and paying and paying. My understanding is that the estimates on this toll road indicate that it will be operating at a loss of about seventeen million dollars a year. There is also a fifteen million dollar fee to refinance the bonds. All of that is going to be paid not out of the tolls on this toll road alone but out of tolls for the rest of the system. That makes absolutely no sense. It is conceivable, although I think not, that there might be some justification for a toll road rather than a freeway in that area, but what this form of it does is to knock out all of the protections not just for the...Morton Arboretum but for other people in that area and for everyone who uses toll roads in other parts of the State. I think the bill is in dreadful shape and it really ought to be rejected.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip may close.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I wish there was a way to do this out of Motor Fuel Tax Funds, quite frankly, and have a freeway; but as you know, this project costs around three hundred million dollars, if we took it out of the Motor Fuel Tax Fund, it would affect every road project in downstate Illinois. The way to get this job done and get it done soon is by another

tollway which runs right through the center of DuPage County, and I'll...I'll tell you, I drive that through the center of DuPage County. Try it sometime in the a.m. and p.m. That fifty-three was built for a thousand cars, it's now doing about eighteen thousand cars a day and it's a terrible traffic jam, it's long, long overdue. We're the fastest growing county in the midwest, the second largest county in the State, and I'd ask your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1733. 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? Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 8, 4 voting Present. The Senate does...adopt the first Conference Committee report on Senate Bill 1733 and the bill having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We are passing out Supplemental No. 8; in the meantime, I'd ask leave of the Body to go to the Order of Consideration Postponed and again consider House...the Conference Committee report on House Bill 1704.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, if we could have some more Pages to...to come down here in front. Senator Rock has...sought leave of the Body to return to Supplemental Calendar No. 6 to the Order of Postponed Consideration for House Bill 1704. Is leave granted? Leave is granted. House Bill 1704...Senator Coffey, for what purpose do you arise?

SENATOR COFFEY:

Well, there's some of us that's got some Conference

Committee reports that's been waiting all day that would have...we have not been able to get to and now we're going to the second opportunity to...to pass 1704. I think that's unfair to the members that's been waiting here with Conference Committee reports and I object.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, your admonishment will be so noted. Senator Davidson on 1704. Senator Coffey, for what purpose do you arise?

SENATOR COFFEY:

Well,...well, Mr. President if...if that's the...if that's going to be the procedure, then maybe some of us that...maybe we ought to try to stall the process. If that's what we're going to do this morning, if we're going to go out of order in the process that we've had here earlier today, then that's the way you want it, then we'll try to do something about that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey, Senator Rock made the motion. I put the question to the Body, if leave was granted. Leave in fact was granted. We're on the Order of Supplemental Calendar No. 6, the Order of Postponed Consideration is House Bill 1704. Senator Davidson, you may proceed.

SENATOR DAVIDSON:

Mr. President, members of the Senate, I believe this was thoroughly discussed. Everyone knows what it's all about. I'd just like to see thirty-six green lights up there 'cause this is an item which is of highly critical importance to everybody in this State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is on the adoption of the Conference Committee Report No. 1 to Senate Bill 1704. Is there any discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I would just like to again point out two or three things. And first of all, before I start, I want to...this Body to know that I think we ought to do something about this piece of legislation. I think there's a better form that we could put it in, and I think we could put some effort out to please some of the people that's concerned about what's going to happen if we go with this program. I'd just like to point out again, also, in New Mexico on the cost to break the contracts there, and I passed out a sheet that you have on your desks, would cost over two million dollars to break a program in that state with only two testing stations. And we're proposing twenty-four or more stations, and the cost at that rate would cost us some fifty million dollars to break our contract if we found it necessary to break those contracts. I'd ask the members that opposed this before, they'll oppose it again. We've got chance for another Conference Committee, we can still get a bill out. And I just ask for a red light.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Just ask for thirty-six green votes, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 1704. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 18, none voting Present. The Conference Committee report...second Conference Committee...the first Conference Committee report is not adopted and the Secretary shall so inform the House. With

leave of the Body, we'll return to...to the Senate Supplemental Calendar No. 8 that has been passed out. Senate Bill 1524, Senator Coffey. Senator Coffey is recognized for a motion.

SENATOR COFFEY:

Thank...thank you, Mr. President and members of the Senate. Senate Bill 1524 on first...on the first report, we had actually seven...seven particular parts of this bill. Out of those seven, five of those have already been passed out of this General Assembly. I'll go through those very quickly; one, removes the fifteen...fifty-five years of age requirement...removes the fifty-five year of age requirement to be eligible for the retired legislative license plates and makes it ten years of public service; number two, removes the consideration of being involved in a motor vehicle accident as a disqualifying from being exempt from taking the written portion of a renewal on your drivers license; three, permits park districts to enforce the provision of the Illinois Vehicle Code and also provides for the private subdivisions which may adopt the Illinois Vehicle Code and the traffic rules to...for regulations; four, further provides that the installation of traffic signals on...on shopping centers and other areas be paid for at the cost of the developer; number five makes several nonsubstantive changes in the motor vehicle...motorcycle equipment section, that also we have passed out of here earlier; seven, raises for bus drivers the permits that is a two dollar fee and this changes it to four dollars, and I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? The question is, shall the Senate adopt...Senator Rock. Senator Rock.

SENATOR ROCK:

Well, this...this contains about nine different changes

to the Illinois Vehicle Code. I suggest it's worse than the last one and I would think we want to go to conference again.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey. Senator Coffey may close.

SENATOR COFFEY:

Thank you, Mr. President. I'd just like to mention, again, that these provisions have already passed out with over forty-five votes, all with exception of one provision which raises the fee on bus drivers' permits from two dollars to four dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1524. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 28, 1 voting Present. The Conference Committee...Conference Committee Report No. 1 is not adopted and the Secretary shall so inform the House. House Bill...Senate Bill...Senator Jeremiah Joyce, for what purpose do you arise?

SENATOR JEREMIAH JOYCE:

Thank you. Mr. President, I move to adjourn and I ask for a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Motion...Senator Rock.

SENATOR ROCK:

Now, we...we are in the next legislative day. Just change the motion to Recess till noon and let's go.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Jeremiah Joyce has moved that the Senate Recess until noon today. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. All

right, take the record. The Senate stands in Recess until twelve o'clock today.

RECESS

AFTER RECESS

PRESIDENT:

All right, pursuant to the call for Recess, the Senate will come to order. #CAI-TV has requested permission to videotape today's proceedings. Is leave granted? Leave is granted. Messages from the House, Mr. Secretary. All right, reading of the Journal, Senator Luft.

SENATOR LUFT:

Mr. President, I move that the Journals of Thursday, June 21st; Friday, June 22nd; Monday, June 25th; Tuesday, June 26th; Wednesday, June 27th; Thursday, June 28th; Friday, June 29th and Saturday, June 30th, in the year 1984, be postponed pending arrival of the printed Journals.

PRESIDENT:

All right, you've heard the motion as placed by Senator Luft. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to concur with the Senate in the adoption of their amendments to a bill with the following title:

House Bill 2649 with Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13.

And I have a like Message on House Bill 3067 with Senate Amendment No. 1.

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

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

Amendments Numbered 2, 3, 4, 5, 6, 7, 9, 10, 11, 13 and 14 to a bill with the following title:

Senate Bill 1546.

They request a first Conference Committee and the Speaker has appointed the members on the part of the House.

I have a like Message on Senate Bill 1549 with...House Amendments 2, 3, 5, 7, 9, 10, 12, 13, 14 and 15.

PRESIDENT:

The House has requested a Committee of Conference on Senate Bill 1549 and Senate Bill 1546. Senator Demuzio moves that the Senate do accede to the request of the House. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The Senate does accede to the request of the House.

SECRETARY:

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

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

Senate Bill 1562 together with House Amendments 1 and 5.

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

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

House Joint Resolution 179.

PRESIDENT:

Executive.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate

the House of Representatives has concurred with the Senate in the adoption of their amendment...of...of their resolution, to-wit:

Senate Joint Resolution 82 together with House Amendment No. 1. Senator Rock is the Senate sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. SJR 82 is the resolution that called for the creation of the Hispanic Dropout Task Force. It was held on the Calendar for sometime. There was a technical amendment which changed a drafting error and a number from twenty to twenty-one. That amendment is back here for our concurrence. This...this resolution passed out of there, as it should have, unanimously and I would ask that the Senate concur with the House in Amendment No. 1 and ask for a roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there...you've heard the motion, is there any discussion? Any discussion? The question is, shall the Senate concur in House Amendment 1 to Senate Joint Resolution 81...82. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are none, 1 voting Present. The Senate does concur in House Amendment 1 to Senate Joint Resolution 82 and the resolution having received the required constitutional majority is declared adopted. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Senator Davidson. Mr. President and Ladies and Gentlemen of the Senate, I'd...I'd like to ask leave of the Body to revert to the Order of House Bills 3rd Reading. As you know,

Senator Davidson was kind enough to hold House Bill 2913 which is a bill that has...was introduced and moved from the House to the Senate at the request of the Secretary of State to solve a administrative problem. That was the bill that Senator Philip and I had first thought was appropriate to handle the auto emission amendment. It was determined later that it would be on House Bill 1704 about which I hope we'll hear more later, but in the meantime, I think in fairness, I would like the opportunity for Senator Davidson to...to request the Secretary of State to have a run at that one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will...on the...on the Calendar, we will move to page 4, 3rd reading, House Bill 2913. Is leave granted? Leave is granted. On that order of business is House Bill 2913. Mr. Secretary, read the bill.
SECRETARY:

I have a...motion...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whoop, wait just a moment. Senator Davidson, for what purpose do you arise? Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

I filed a motion to move to suspend Rule 5 so we can take up 2913, and so it...it will be part of the record and all the players who have interest in transportation bills will understand clearly once and for all, this 2913 will not...will not be used as a vehicle for any other kind of a transportation package. This is a request from the Secretary of State to correct an administrative error that we did last year, and I want it in the record this bill is not to be included...will not be used for any kind of a vehicle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Senator Davidson has moved to suspend Rule 5-C and all the other appropriate rules

so that House Bill 2913 may be considered this morning. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Rules are suspended. On the Order of House Bills 3rd Reading is House Bill 2913. Mr. Secretary, read the bill.

SECRETARY:

House Bill 2913.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, before I call this bill, I'd like leave to have it Davidson-Darrow. Since he was so kind to give me the lead sponsorship, I'd like to put him back on as the second sponsor with me. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Davidson has...sought leave of the Body to add Senator Darrow...Darrow as a hyphenated cosponsor. Is leave granted? Leave is granted. It's so ordered. Senator...Senator Davidson now moves for passage. The question is, shall...House Bill 2913 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, 1 voting Present. House Bill 2913 having received the required constitutional majority is declared passed. Senator Hudson, for what purpose do you arise?

SENATOR HUDSON:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR HUDSON:

Mr. President and Ladies and Gentlemen of the Senate, in the wee hours of the morning when fatigue was the order of the day here, if it still isn't, we voted on House Bill 3128 and that, as you know, is the commission reorganization bill. I have served for the past six years as chairman of the Illinois Commission on Atomic Energy and serving as my director has been Dan Williams and I think he has done a super...absolutely super job. As a matter of fact, we have tried to make that commission, over the years, the kind of commission that commission should be, kept our budgets down, we've kept our expenses down, we've kept our...we've watched our travel, we've done everything that we felt we could do. So, I'm very proud of what he has done and I'm very proud of the members of that commission. Now I voted for House Bill 3128, feeling that probably was of the two bills, certainly, the House and Senate version, was the best, the amendment we put on that; but on reflection, I did listen carefully to what Charlie Chew had to say last night and it is my hope, really, that what we did last night will save money, I have my doubts. It is my hope that in that reorganization we won't see a centralization of power, but I have my doubts. So, Mr. President, let the record show that after reflection if I were to vote on that bill again, which I cannot, of course, I would join Senator Chew and there would not be just one lonely No vote as there was there this morning, but I would vote No and there would be two lonely No votes on that bill, if you will let the record so show.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hudson, the record will so reflect. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like the record to reflect that Senator Mahar is still in the hospital convalescing from an operation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I, too, voted last night and I do not begrudge my vote to eliminate most of the commissions and one...unfortunately, in order to reach a compromise, one of the commissions that has worked very hard in the course of alternate energy, the Illinois Energy Resources Commission...of which commission Senator Johns has been the chairman, has done a fine job, has...this commission has worked very hard, very diligently to approve projects involving alternate energy, kiln gas and what have you. I do hope, and I'd like to make this for the record, that our leadership and the House leadership will see fit to restore this commission, even the modified version, because this commission has been in existence for ten years and has tried very hard to develop alternate energy, such as, solar energy, alcohol fuels, kiln gas and what have you, and I'd like to say that it is a worthwhile commission and hopefully it will be restored, and I say that for the record, and I want to commend Senator Johns who was the chairman of the commission because he has done a great job. I know, I was the first chairman of it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

All right. On page 7, on the Order of Conference Committee Reports, page 7 of your Calendar. House Bill 2509, Senator Demuzio. Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. House Bill 2509 was the bill that was debated here that was a product of the Speaker as well as the Attorney General, which added a senior citizen to respective boards and committees. The House by virtue of an amendment deleted three additional commissions by which mem-

bers would be appointed; one, was the Council on Nutrition; one was the Pension Laws Commission, and the...I can't find the report, but the third one escapes me. Oh, I beg your pardon...just found it...Council on Nutrition, the Pension Laws Commission and the Illinois State Museum. Thank you, Senator Geo-Karis. I would...that's all it does, I would move for the adoption of the first Conference Committee report on House Bill 2509.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank...thank you, Mr. President. Just to call the members' attention to the fact that this is the bill that adds the senior citizens to all the commissions and boards, and we've had a lot of discussion about that. Apparently, they've eliminated three of these appointments, but all the other appointments are still in place.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Further discussion? If not, Senator Demuzio may close.

SENATOR DEMUZIO:

Oh, yes, when we talk about boards and commissions at one time we thought this was going to be the vehicle bill for those boards and commissions, that we've had such a...a lot of discussion about here just in the last few minutes, but in this respect, it is a...a bill that adds members to those boards and commissions that are basically under the Governor, and not necessarily legislative commissions, and therefore, I don't want to represent the fact that...that this is the same boards and commissions that we have in fact been...been talking about, and I would move for the adoption of the Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference

HB 2953
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Committee report on House Bill 2509. Those in favor will 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 44, the Nays are 10, none voting Present. The Senate does adopt the Conference Committee report on House Bill 2509 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Bill 2953, Senator Darrow. Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. House Bill 2953 is the bill that creates the...or allows for the foreign trade zones. We passed it over to the House, they placed it in Conference Committee. If you recall, last night they put provisions on pertaining to the collection of taxes by municipalities...or Senator Lechowicz had a problem with that. We have removed that provision of the bill from the Conference Committee report. The report now primarily takes care of the problem we...that Senator Schaffer had with the annexation agreements going from ten years to twenty years, and it's my understanding it also assists in people who take office and leave...on leaves of absence for civil service offices, and it passed out of the House a few moments ago a 102 votes, so I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, I know I'm a lonely voice in the wilderness on this one, the Enterprise Zone Act for...Foreign Companies, but, Senator Darrow, I thought you had saved yourself last night by putting that horrible amendment on. I don't think I want to be successful in saving you; however, you would probably be accepted readily in ten years as an ambassador to any third world country that's sold us a lot of products.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAPPER:

Well, I'd like to rise in support of this Conference Committee. In addition to Senator Darrow's bill, which I think has a great deal of merit and merits are of support strictly on its own, there's a small addition in this report which expands the life of a preannexation agreement from ten to twenty years, and I appreciate Senator Darrow letting me add that on. I have passed that particular bill out of the Senate several times and every time it got to the House, the DuPage County people put their blankety-blank DuPage County water problems on the bill and they got killed. Well, this year DuPage County worked out all their differences, passed their bill but never bothered to put the vehicle in the bill they sent to the Governor. So, I had to find something else and that particular proposal has the support of the...of the Municipal League and is totally...there's no controversy at all with it, but I do think it's an important change because many of the planned developments that we thought would be done in ten years because of the economy are obviously going to stretch on for longer periods. I would like to urge favorable support of this Conference Committee. I think it is totally meritorious.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I don't have any particular concerns about the...basic substance of the bill or probably even the amendment to which Senator Schaffer made mention. I'm just curious about this other provision though, Senator Darrow, that's added in the Conference Committee that doesn't seem to have anything to do with...with either of the other two provisions. It says, "No mayor, alderman, city clerk or

city treasurer shall hold any other office under the city government during his term of office except," and this is the new language, "if such officer is granted a leave of absence from such office," and so forth. That seems to be repeated in part in slightly different form in two other sections of the Municipal Code. What on earth is that all about?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Darrow.

SENATOR DARROW:

Basically, it just allows them to do what it says, to take a leave of absence to serve on the city council or as an alderman. Perhaps one of the Senators from the City of Chicago could explain more clearly who it affects or you may step over to one of your colleagues from Chicago that is more familiar with this, but as far as...for the rest of the State, it...it...it seems to be somewhat harmless as far as granting a leave of absence to someone who wants to serve as mayor, alderman, city clerk or city treasurer. Specifically, I don't know who this is aimed at or who it helps.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce could help you on it then.

SENATOR JEREMIAH JOYCE:

This...this address itself to a longstanding practice, something that I personally was involved with myself that other members of the...of the city council in Chicago have been involved with it, it's been permitted for years and years and years. There is some question as to where the statutory authority for it derived, and because of that, we are trying to address it with this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Just to clarify. If someone...I...I gather, the frequent example is someone who's a police officer, for example, and

becomes an alderman or a city treasurer or something of that sort, then takes a leave of absence from his position as a police officer. Is it correct that they are not then paid for both offices?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

That's...that's correct, you are not paid. What...what happened here is, you...you took...a man took a promotional examination during the time that...and the list...those lists stay up for a long time, two years, three years, during the time that he then went on leave of absence when he was elected and during that time, it came time for him to be promoted and there was some question as to whether or not he could in that capacity be promoted, and it had always been done in the past but there...no one knew where the statutory authority derived from and that's what we're trying to clear up.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Further discussion? Senator Collins.

SENATOR COLLINS:

Yeah,...let me just say that that is not so unusual, Senator Netsch, from...from the State, and in the State's Statute it provides because...which I came under when I came here, I could take a leave of absence and it's for the simple reason that...Senator Joyce articulated, that it...it need to be covered in the Statute because certain people are in the Statutes, exempt from holding public office, and so they allow...local employees the same privileges that State employees already have.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Darrow may close.

SENATOR DARROW:

Thank you, Mr. President. Originally this bill passed out of this Body by a good margin, I believe there were maybe one or two votes against it. It now with the Conference Committee report has passed out of the House with a hundred and two votes. Senator Schaffer has indicated his strong support for it, he fully understand the bill plus the amendments. I think we've answered all the other questions pertaining to the other provisions of the Conference Committee report and I'd ask for a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee...the second Conference Committee report on House Bill 2953. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 1, none voting Present. The Senate does adopt Conference Committee No. 2 on House Bill 2953 and the bill having received the required constitutional majority is declared passed. For what purpose does Senator Becker arise?

SENATOR BECKER:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR BECKER:

In my six years in the General Assembly, this is the first time that we have opened a Session without a prayer, and I wonder, Mr. President, if you could impose upon the great Senator from southern Illinois, the honorable Senator Hall, if he would lead us in a prayer to open this General Assembly meeting.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, we're in the Order of Conference Committee Reports, Senator. I'm not sure if the Senate opened with a prayer or

not, but it was a Recess Session. Senator Rock.

SENATOR ROCK:

Thank you. I appreciate the gentleman's concern. It was, in fact, a Recess Session and, frankly, we thought it better, since this is the closing day of the Session, to close with a prayer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

House Bill 3136, Senator Kelly...House Bill 3136. House Bill...Senate Bill 89, okay. Senate Bill 833, Senator Degnan. Senate Bill 1746, Senator Davidson. Senator Davidson. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this Conference Committee report to...Senate Bill 1776...excuse me, 1746, does four things...five things; one is, the bill as we originally passed gives charter districts the authority to borrow eighty-five percent of their levy in the four funds which puts charter districts in the same shape as we did for all the other school districts. When we passed it last year in an oversight, we missed it. Number two has about the school districts levying a fire prevention and safety tax under the health safety bonds. There's language in there which...Cutler-Chapman Bond Counsel said we needed so there'd be no jeopardy in the bonds or increase their interest. Three, is that Chapter I funds received by the Chicago school district shall be distributed to attendance...centers in proportion to the number of students in each attendance centers who receive free or reduced priced lunches or breakfast the previous year. This is the amendment we've done in the past so the money follows the child. Number four provides that a individual may serve on a school board and at the same time serve as the director of the Regional Transportation Authority, and five is a new provision that is added that will provide for the inclusion of the working cash fund for the pur-

poses of calculating supplemental State aid shall not apply to districts filing petitions for reorganization prior to June 30th, 1984. This impacts on two or three school districts which would lose substantial State aid without this provision. This is in the law in and these two or three had started to merge together before we passed the law and we did not...we missed putting them in it last year. This corrects that oversight. I move we can approve Conference Committee Report No. 1 to Senate Bill 1746. Appreciate an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I support the motion to accept.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 1746. Those in favor will be voting Aye. Those opposed voted Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. Senate Bill...1746 having received the required constitutional majority is declared passed. Senate Bill 1853, Senate...Senator Becker.

SENATOR BECKER:

Thank you, Mr. President and members of the Assembly. I do move to concur with House Amendment No. 4 to Senate Bill 1853. It did pass over in the House 110 to nothing. The ten members of the Conference Committee have all signed. There was a difference between Senator Joyce and Senator Nedza. This has been settled between the both of them and members of the City of Chicago and met with their approval, and I do ask that we do concur with House Amendment No. 4.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the

Senate adopt the Conference Committee report on Senate Bill 1853. Those in favor will 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,...51, the Nays are none, 3 voting Present. Senate Bill 1853 having received the required constitutional majority is declared passed. Senate Bill 1933, Senator Lemke. On the Order of Conference Committee Reports, Senate Bill 833, Senator Degnan. Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 833, Conference Committee Report No. 1 includes receding from House Amendment No. 1, striking everything after the enacting clause and only providing language that removes bingo tax returns from the confidentiality provisions of the retailer's occupational tax and would make such returns available for public inspections. This Conference Committee Report No. 1, Senate Bill 833 passed the House yesterday 108 to nothing. A similar bill, House Bill 2971, passed with a similar vote. I move its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 833. Those in favor will 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, none voting Present. Senate Bill 833 having received the required constitutional majority is declared passed. On the Order of Secretary's Desk Resolutions. Senator...on the Order of Resolutions.

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END OF REEL

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e.e.R.#2

REEL #4

SECRETARY:

Senate Resolution 747 offered by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I would move to suspend the rules for the immediate consideration of this Senate resolution. It is about the diamond mine disaster that occurred in Braidwood, Illinois a hundred years ago where seventy-four people were killed, and it's asking that the...the...this be...the United Mine Workers of America are petitioning the Historical...Society of Illinois to recognize the diamond mine as a Illinois Historical site.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted to suspend the rules for the immediate consideration of Resolution 747? Ayes. Nays. The Ayes have it. The motion carries. On the immediate consideration of Senate Resolution 747, those in favor of adopting the resolution indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Resolution 747 is adopted. On the Order of Conference Committee Reports, page 8, House Bill 3136, Senator Joyce. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Ready as I'll ever be.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Well, you're on...you're on, Senator.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I move that the Senate do concur in Conference Committee...that do adopt Conference Committee Report No. 2 to House Bill

3136. This report contains the same language as Conference Committee Report No. 1 with one exception. There is an addition to clarify the matter with respect to the Chicago Board of Education, and that addition specifically states that no reimbursement shall be made to the Chicago Board of Education for any transportation which may occur as a result of this legislation. Be happy to answer any questions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Discussion? If not, the question is,...Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. During the debate yesterday I pointed out that in my opinion the first Conference Committee report requires the State of Illinois to fund two different types of busing of nonpublic school children, one was mandatory busing downstate and discretionary busing in and out of the City of Chicago. It is my opinion that the report allows nonpublic school children from the suburbs of Chicago to be bused into Chicago at State expense, and it allows nonpublic school children living in Chicago to be bused into the suburbs at State expense. Remember...yesterday that my reading of the bill was not contradicted. We now have a second Conference Committee report on this particular matter. There is only one change between the first and the second reports. That occurs on page 10, line 35 and page...page 11, lines 1 and 2, it has provided the following, "No reimbursement shall be made to school districts having a population exceeding five hundred thousand for pupils transported solely as the result of this Amendatory Act of 1984." Now what this language really says is this. While the city won't reimburse the city...while the State won't reimburse the City of Chicago for busing non-public school students into or out of the City of Chicago, the State will reimburse school districts under five hundred

thousand when they bus nonpublic school children into or out of the City of Chicago. The problem that I rose...spoke about yesterday about suburban school districts and the problems they will have still exists, still exists. That's non-five hundred thousand population school districts will, in fact, still be eligible for reimbursement for transportation of children into and out of the City of Chicago. I believe that this change only makes it clearer that it is the intent of this bill to provide for the discretionary busing of nonpublic school children into and out of the City of Chicago at State expense. One, there is nothing in this bill that would prevent a suburban school district from busing its students into the City of Chicago at State expense; and secondly, there is nothing...nothing in this bill that would prevent a consortium of suburban school districts from busing their children as part of a cooperative agreement, and that cooperative agreement is mentioned now on page 3, lines 6 through 11, into the City of Chicago at State expense. And finally, given the language found on page 3 of this report, I see no reason at all why one or more suburban school districts could not...enter into a cooperative agreement with the City of Chicago, in which nonpublic school students are bused from the city to the various nonpublic school districts in the suburbs at the suburban school district's expense. By having the suburban school district pick up the tab instead of the city, the State would still pay for the transportation because the reimbursement is not being made to a school district having a population exceeding five hundred thousand. Nothing has really changed from yesterday's report; if anything, the new language makes it clearer that children may be bused into and out of the City of Chicago at State expense. I think you just found a more creative way now to qualify for State reimbursement. I stand in opposition to the adoption of the second Conference Committee

report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I shall be brief. We've battled this issue for several years. I beg of you, my colleagues, one more time, listen very carefully to what you are doing here today. Point number one, anyone who tells you that inter...intradistrict busing is not now taking place simply is telling you...an untruth. We are now busing those students intradistrict, that...everyone knows that, it's in the Statutes. Secondly, there is no reason whatsoever, no justification whatsoever, to extend this benefit to nonpublic school students to transport them across district lines. That provision is not now available to public school students and shouldn't be available to nonpublic school kids. Just shouldn't be there, it's wrong. Keep in mind, in 1980 when we started debating this issue, do you remember what the bill said? It said fifteen miles. And no one could answer the question without...that was beyond district lines or beyond the residence into the next district. No one knew. And they...every year they come back and they shorten it up a bit more and now it's five miles. And if this gets in the Statutes, eventually, as someone mentioned yesterday, it will be widened out once again. It's going to happen and that's wrong. The Governor made quite a show on this Floor last night indicating to you that in this bill was a hundred percent financing, a hundred percent reimbursement. Don't swallow that, it's not true. The only school districts that are going to benefit from this are those that are flat grant districts and I will accept that. They are going to benefit from that. But for those who are not flat grant districts, who will be under the regular formula like most of us are,

are going to be underfunded by the same proportion that we are now underfunded. Let me give you those figures. FY'81, we reimbursed at forty-eight percent; FY'82, at 58.7 percent; FY'83, fifty-four percent. This isn't going to change. How are you going to explain this when you go back to your district and your public school superintendent and board members say, what did you do to it, we can't make it now. But now you've extended another provision to someone else and it's going to also increase inefficiency, if you understand that part, because you'll be going across district lines. As someone mentioned yesterday, it's almost mechanically impossible but that's what we're going to do. Ladies and Gentlemen of the Senate, this is a very critical issue, a very critical issue. I know votes have been picked off, no promises have been made. But I urge you for the final time, please consider what you are doing here today. I urge a No vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Berman.

SENATOR BERMAN:

Two questions of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he'll yield.

SENATOR BERMAN:

Did the House act on Conference Committee Report No. 1 and has the House addressed Conference Committee Report No. 2?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

I...I don't believe that they have done either, but I'm not familiar with House procedures as you are, Senator Berman, so you could probably have a better understanding of that. I don't believe that they have done either.

PRESIDING OFFICER: (SENATOR SAVICKAS)

UPI requests permission to shoot still photos. Leave granted? Leave is granted. Senator DeAngelis.

SENATOR DeANGELIS:

I don't think any debate is going to change anybody's mind on that, but I do want to point out some things because some comments have been made by the opponents of this bill. We're talking about four million dollars out of a total expenditure of approximately five billion dollars for education, less than one-tenth of one percent of the total amount. I don't really believe that those who are opposing it on that basis are being sincere but I do believe they oppose it. So, therefore, they must, in fact, be opposing it on the symbolism of the issue, and I would like to address that. There are three myths that occur with parochial school busing or the beat up nuns...beat up the nuns bill. First myth, the public schools are in competition with the private and parochial schools. They are not in competition if you choose to regard them as such, that is your decision. What they are is an alternative and a complementary school system. In fact, if you will look back at the history of this country, private and parochial schools far preceded the private school...public school system. Second one, which is really bothersome, is that if we didn't have parochial and private schools we would have more students and we would have more money. Now let me tell you, I have not been down here as long as many of you, but if anybody thinks that our budgetary process is anything more than incremental, then they ought to turn back their pay for the time they've been down here. More students means less students...less money per student in public schools. And I'm not advocating that anybody go to a private school. I have four children, three of them attend private university...public universities and one attends a public school. And I, myself, am a product of the

public school system. But let's cut out that kind of stuff about how parochial school busing is going to take money away from the State. But then they argue also that there is a cost in this. Well, if you have less students, you're going to have less cost; and if you don't have that, then, darn it, you ought to change the formula that all these opponents have been sitting on all these commissions supporting. Third myth, the constitutionality, and I won't expound on that because that's been resolved. Now I want to tell you...last year...last year, and could I have the attention of this Body. Al Vandenbosch.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Could we break up the caucuses in the back and give Senator DeAngelis some attention.

SENATOR DeANGELIS:

Al Vandenbosch, who is the head of the Private School Council in the State of Illinois, had his membership write a letter and put in a news letter in support of the tax increase. If anyone would bother to look at that roll call you'll find out that there are a lot more people that support parochial school busing that voted for that tax increase than who oppose this bill. Now, if you're worried about the money, I suggest you put your money where your mouth is. Lastly, I have never seen such pressure, such resource, such collusions, such unholy alliances put together to try to defeat a bill. And I would suggest to those people, and you're all well-intended as we who support this are as well-intended about public education, let's go about the business of resolving the big problems and let's quit picking on the little people.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grotberg.

SENATOR GROTBEBG:

Thank you, Mr. President, fellow members. Last night as

I voted for this bill for the first time, it's a bill in general that I have opposed in my twelve years in this Body, I had a lot of thinking to do mostly regarding the policy of the State of Illinois, this General Assembly and the administration, a major shift in it. Much too late in this Session, just the last few days, I have caused to be drafted a draft of what I thought should be in the bill, and I would imagine something like this is headed our way, and I would just like to share with you that if we are changing the policy of the State of Illinois regarding the transportation of kids...I live out in the countryside and every morning and all of my own and now with children and grandchildren, when you see that little youngster with a lunch bucket all wrapped-up in the cold, it doesn't really matter to me where that kid is going to school, the transportation of it, him or her, is a matter of public policy. Then we get down to the turf battles, and that's what this is all about, it's a turf battle over money. I would predict then, if this bill should prevail, that the solution is that the State...the only justifiable Statewide role in education, in my feeling, is transportation. And if we're going to have a transportation system, it should be paid for fully by the State, and to my teacher friends and my wife and all four of my children who are teachers and to my school board friends, that should happen and the transportation levy you now have and for those districts who don't have transportation should have an equal amount transferred right to your education fund and let our real estate taxes go for education, let the State do the busing, work out an equitable economical system with some incentives in it so it's not a rip-off, but get on the subject and get it over with, that yes, the State will carry kids, the local governments will teach them. I will not be here to address that but I submit to you that it is the step that we are taking today. If this will speed it up, I would

like to be a part of it. But we are about to embark on the greatest experiment that Illinois education has ever gone into, it's only half the battle. We're all going to go home and have friends on one side and enemies on the other, that is not the State's role. The State's role is not to divide the people of Illinois but to unite them. This first step is very divisive. Shortly following it, and I pray that it will happen, will come the light, that, yes, the State shall transport and pay for children going to school and the local unit of government will educate them. Thank you, and I vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I really didn't think by now there...this bill would still be before us, and I certainly didn't expect to stand and talk about it. But I am one who I think has a little bit of personal experience on an issue like this which I've never shared with the membership. First of all, I am the product of a parochial school education, right on through college, I might add, I never set foot in a public institution until I was in graduate school. And I was bused when I was in high school. I was bused into a black neighborhood, when the archdiocese in which I was in desegregated. I was bused by public school busing and it was paid for by my parents, as was my private school education all the way through those years. My parents made that decision, and when I became a parent, I had to make the same decision. And I made that decision for my children and chose to send them to public schools. But had I chosen to send them to private schools, it would have been full knowing that I would pay the cost of that program. The reason I rise this morning though is that this is the fourth or fifth time that we have dealt with this

subject. And as we go on, I'm concerned that the general public out there is slowly but surely developing a sense of what we're doing that somehow we don't do anything for the private school community when, in fact, we do bus private school students today; when, in fact, we do pay for their textbooks; when, in fact, we do pay for their drivers education, and I could go on and on talking about the various programs that are in place right now providing for private school facilities and services. I think Senator DeAngelis is right, there is something to be said for the fact that there is some symbolism involved today in what we do. We have a public school community which we are obliged to first and foremost. It is the State Constitution which says the State shall provide for an efficient system of high quality public educational institutions and services. This year, we saw a measly increase in the education budget, and the public school community out there who must depend on us for their...for...for our support is concerned that that support is dwindling, that it isn't there. And so, yes, I do think there is some symbolism involved there. A lot of what we do here is symbolism, sending a message out to people that we believe in them, that we believe their children ought to go to those public schools and that we'll back them up and support them. Not every thing we do has an immediate fiscal impact, and Senator Rock was right, it's not until 1985-86. However, I do suggest to you that if Senator Bruce is right, which I think he is, this program could be very expensive down the road. But in the meantime, ladies and gentlemen, let's remember that we do a great deal for our private schools, and I wouldn't be here right now speaking to you if it wasn't for those private schools, but I am concerned about that public school community. This year especially, this is the very worst year, the very worst year that we should be considering this legislation regardless of the financial

impact, because it has, in fact, sent a message out to the public school community that we have forsaken them, and I don't think we want to do that. I think we should vote the way we have four or five other times. How many more times must we send the message back that we're trying to preserve the precious resources we have for our public schools while sharing some of those with our private schools? Yes, it is a partnership, that partnership as it works now is one that I feel we must preserve, and I would urge a No vote on Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate. I'd like to correct a statement made earlier, if I may. The last bill that we...we did pass out of both Houses a few years ago was for five miles. Number two, when you look at a two billion dollar budget for our schools and you know that one-fourth of one percent of that budget can help the...private schools remain alive, in view of the fact that the taxpayers who send their children to private schools are paying the taxes for the public schools, I think we're being unfair. I think this is a good bill. I think it's good to have two types of education, public and private, it's competitive, it's healthy and this is America, where more than one system of education should be allowed, and I speak in favor of the bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. For those of you who are wringing your hands and gnashing your teeth, let me just remind you that the folks that we are attempting to accommodate here are taxpaying citizens. The

Supreme Court has entitled them to this consideration. They have a right to this consideration. To deny them this request is simply narrow-minded and I urge you to vote Aye.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Joyce may close.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I think Senator Rock yesterday in his comments stated the case and probably the case that I would state here if we were not at this late hour. I would like to address you, Senator Kustra, for just a moment. I, too, went through the catholic school system along with six brothers and sisters at great sacrifice to my parents, and I chose to send my four kids to the catholic school system. And each one of my children today take public transportation that I pay for to a parochial school and we live in the City of Chicago and I will continue to pay for their public transportation to a private school even if this bill is passed. But that's not the real question here. You say, you...you...you made the choice to put your kids in a public school, that's not the question. That's if...if we were going to follow that line of reasoning, then every tax break, every grant, every abatement, every advantage that we give to business in this State we would say, well, you knew when you went into business that you were taking that risk, that's too bad. That's not the question here. Senator Egan has said what the question is. The question is,...the United States Supreme Court has said that these people are entitled to this consideration. The private school system in the State of Illinois provides a benefit to the general population...to the total population of the State, and this legislation will give them the considerations that some of us feel they're entitled to. I ask that we adopt this report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt Conference Committee Report No. 2 to House Bill 3136. Those in favor will 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 32, the Nays are 24, none voting Present. House Bill 3136 having received the required constitutional majority is declared passed. For what purpose Senator Lenke arise? Senator Lenke moves to reconsider the vote by which...House Bill 3136 passed. Those...Senator Joyce moves to lay that motion on the Table. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

My light...my light was the first one on. I have a right to ask for a verification.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You certainly do, Senator.

SENATOR MAITLAND:

I request a verification...of the affirmative votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A verification has been requested. Will all the Senators be in their seats. Will all the Senators please be in their seats...the Secretary please read the affirmative vote.

SECRETARY:

The following voted in the affirmative: Barkhausen, Becker, Berman, Bloom, Carroll, Chew, D'Arco, Davidson, Dawson, DeAngelis, Degnan, Egan, Geo-Karis, Grothberg, Hall, Jones, Jeremiah Joyce, Keats, Kelly, Lechowicz, Lemke, Marovitz, Philip, Rupp, Savickas, Schaffer, Smith, Vadalabene, Watson, Weaver, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland, do you question any of the...

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SENATOR MAITLAND:

Senator Barkhausen.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen. Senator Barkhausen is at the rear of the Chamber. Senator Maitland, do you question anybody else?

SENATOR MAITLAND:

Senator Schaffer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer. Is Senator Schaffer on the Floor? Senator Schaffer is in the rear of the Chamber. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On a verified roll call, the Ayes are 32, the Nays 24, none voting Present. The bill having received the constitutional majority is declared passed. Senator Lemke has moved to reconsider the vote by which the bill was passed. Senator Joyce has moved to lay that motion on the Table. Those in favor indicate by saying Aye. Those opposed. The motion carries, and the motion lays on the Table. We have passed out among the members Senate Calendar Supplemental No. 1 dated July 1st, 1984. On the top of that Calendar on the Secretary's Desk for Concurrence is Senate Bill 1562. Senator Sommer. Senator Sommer. On that same Calendar, on the Secretary's Desk on the Order of Nonconcurrence we have House Bill 2643. Senator Sommer. On the same Calendar, on the Order of Secretary's Desk Nonconcurrence we have House Bill 3067, Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. House Bill 3067 is the bill that was amended in the Senate to include the Department of Insurance targeted funding proposal. That proposal has now been placed in another bill in interim study in the House, so

the issue is dead for this year. The House refused to concur with our amendment. The bill is back over here, and I would therefore move that the Senate do recede from Senate Amendment No. 1 to House Bill 3067.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Schuneman has moved that the Senate recede from Senate Amendment No. 1 to House Bill 3067. Is there any discussion? The question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 3067. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none...none voting Present. The Senate recedes from Senate Amendment No. 1 to House Bill 3067 and the bill having received the required constitutional majority is declared law...or...declared passed. Senate Bill 1870, Senator DeAngelis. On the Order of Conference Committee Reports, Senate Bill 1870. Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. Senator Bloom stepped out. What the Conference Committee report does is puts in a reverter for the Galesburg Mental Health Center in the event that it's not used for the purpose it was designed, and I do believe, that Senator Bloom is in favor of it. I think his Rep. is throwing a snit outside and he's trying to handle the snit. So I move to adopt Conference Committee Report No. 1 on Senate Bill 1870.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis has moved to adopt the first Conference Committee report on Senate Bill 1870. Is there any discussion? Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

I also...thank you, Mr. President and Ladies and

Gentlemen of the Senate. I also encourage the adoption of the Conference Committee report on 1870. It's a worthwhile, supportive document.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1870. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Sam. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1870 and the bill having received the required constitutional majority is declared adopted...declared passed. Okay. On the Supplemental Calendar No. 1 is House Bill 2649. Is Senator Sommer on the Floor? Senator Bloom, what purpose do you arise?

SENATOR BLOOM:

I think the appropriation...oh, here comes Senator Sommer. I...I was going to say, Senator Sommer and Schaffer and Carroll and Buzbee I think are doing approp. work, but Senator Sommer is here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer, we're on House Bill 2649 on the Supplemental Calendar No. 1. Senator Sommer.

SENATOR SOMMER:

What is the proper motion, Mr. President, to place this in a Conference Committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

I...I think it's probably refuse to recede and ask for a conference.

SENATOR SOMMER:

Therefore, Mr. President, I refuse to...to recede in all the amendments, and ask for a Conference...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Sommer moves that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 to House Bill 2649 and that a Conference Committee be appointed. All those in favor say Aye. Opposed Nay. The motion carries and the Secretary shall so inform the House. Senator Sommer, do you...are you ready on Senate Bill 1562? The top of the Supplemental Calendar No. 1? No. It's a hold. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank...thank you, Mr. President and Ladies and Gentlemen of the Senate. If I can have your attention, Supplemental Calendar No. 2 which will contain the bulk at least of the appropriations Conference Committee reports is now being prepared and will be with us, I hope, shortly. In the meantime, I would ask leave of the Body to go to the Order of Motions. Senator Donahue has filed a motion on House Bill 1704 that I think now is the appropriate time to consider. I don't think there's any question in anybody's mind that this Conference Committee report on House Bill 1704 is worthy, again, of our consideration, and I would ask leave of the Body to go to that order for Senator Donahue's motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion by Senator Rock that the Senate move to the Order of...Order of Motions to...to consider House Bill 1704. Is leave granted? Leave is granted. On the Order of Motions, Senator...Senator...Mr. Secretary, would you read the motion, please.

SECRETARY:

Having voted...voted on the prevailing side, I move to reconsider the vote by which Conference Committee Report No. 1 to House Bill 1704 failed. Signed, Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

I'm not quite clear. Do I need to move to...for a roll call on this or just...I would move that the Senate...concur with this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Donahue has moved...having voted on the prevailing side, to reconsider the vote by which Conference Committee No. 1 to House Bill 1704 failed. Is there discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. I hope all my colleagues are watching what is happening. We are back on the emissions bill, and I would suggest we all sit down and start looking at what the heck we're doing again instead of arguing among ourselves.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I would...I would hope that we'd deny this motion and put this thing in a Conference Committee where we could work out the problems rather than taking the time of this Body...that we still have another Conference Committee and another chance and opportunity to put this bill together; and at the proper time, Mr. President, I'd like to ask for a roll on this motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion?...Senator Rock.

SENATOR ROCK:

Can we get some order, Mr. President?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Will the Senate come to order. If we break up the conferences...

SENATOR ROCK:

Thank you, Mr. President. I rise in support of the motion to reconsider and suggest to Senator Coffey and others who are suggesting perhaps another Conference Committee or down the road or so forth, I suppose that could be done. Senator, the fact of the matter is, we are attempting on...on July 1st to adjourn as early as is humanly possibly. Given the fact that the staff has been working all night to put the appropriations Conference Committee reports together, and to go through the drill, and I suggest it's a drill, to come up with a second Conference Committee report simply is not in our best interest. The House has already passed this legislation. The Senate, I can assure you, is going to consider it one way or the other before we leave town, and I think in an effort to accommodate the members, this is the appropriate motion at the appropriate time. The motion to reconsider will prevail. Senator Davidson will again prevent...present the...the motion to concur in the Conference Committee report and we'll have a final roll call, and I would ask your indulgence and...and let us get on with the business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right, Senator Donahue has...has moved...having voted on the prevailing side, to reconsider the...the vote by which Conference Committee Report No. 1 to House Bill 1704 failed. There has been a request for a roll call. Those in favor of the motion will vote Aye. Those opposed will vote Nay. The voting is open. It will take thirty affirmative votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question the Ayes are 36...the Ayes are 37, the Nays are 13, none voting Present. The motion to reconsider the vote by which House Bill 1704 the first Conference Committee report has failed is...is...the motion carries...the motion to reconsider. Senator Davidson is recognized on the adoption of the Conference Committee Report No. 1 to House Bill

1704. Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this...bill was debated thoroughly earlier today. I think that everyone knows what it's all about. We went through it point by point at three-thirty this morning or three o'clock or whatever time it was. I...all I ask is that those thirty-seven votes who voted to reconsider the vote now put thirty-seven votes on to move to concur in Conference Committee Report No. 1 to House Bill 1704.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there discussion? There are...Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

If you could, Senator Davidson, would you explain to me if a person goes in for an inspection and they fail the inspection what the procedures are and what the cost is and if...if on the...after going to the garage for the repairs, after you tell us what the cost is, then would you tell me what happens then if he fails to...on his second test.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

If he fails on the second test, according to the bill, and he shows proof that they have done all thing humanly possible to make that vehicle in compliance with the emissions requirement, there can be a waiver granted to that vehicle in the judgment of...if he shows proof that the work was done to correct why it failed the first time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Well, you didn't tell me what the cost would be and then you also said it...there can be. Now there will be or there can be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

I'm sorry, will you repeat the second part of your question? I did not get it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

You said that there can be a waiver given. Is that there can be or there will be a waiver?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

The vehicle will qualify for a waiver if the vehicle receives all parts and adjustment for which is eligible under emission performance warranty. In the inspection proof the low emission tune-up had been prior to the vehicle the thirty days, and if it's a model '75 year or later and it's got the catalytic converter and it's properly installed and working, and so the...and the evidence of consigned of a...consist of a signed dated receipt identifying the vehicle and the work done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

If...if...if in the course of the inspection of the vehicle and in 1975 or later, if the catalytic converter or the fuel inlet and restrictor or any portions of those that have

been tampered with or removed, then the waiver will be denied. Is that correct? And if it is denied, what would be the cost if they have to put a new catalytic converter on or the fuel inlet? What would...what would be the cost of that and is that true that they would be denied the special permit and they would have to go to that additional cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

They would be denied because they're...under the Federal regulations and under the law they shouldn't have tampered with the catalytic converter or the nonleaded fuel restrictor or whatever you call it in the first place. I don't know what the fuel restrictor would be but I understand the catalytic converter is approximately two hundred and fifty dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Coffey.

SENATOR COFFEY:

Another question. If...if the...in fact, the cost is going to be ten dollars and if the cost yesterday we talked about was going to cost between thirty-five and fifty million dollars, how many cars would be turned down under this proposal? In other words, there's a thirty percent or sixty percent...what...what's the failing rate, and if so, on that second trip, how about the other ten dollar cost, not to the person taking the test but the State of Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Well, first off, the State is paying for the cost of the test. There is no charge to the people being inspected and the...there's approximately a twenty percent failure rate and apparently in...in experience they've had in the other forty-

two states, this is in part and the retest is no...no cost, there is no cost for the first, there is no cost for the second.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

If...if I could, then, just...just make some comments...the Senator said that there would not be any cost. There is going to be a cost and it's going to be the cost to the taxpayers of the State of Illinois. Now, we talked about for one inspection, and he says there will be a twenty percent failure rate possibly; that means a second time for twenty percent of those vehicles at another ten dollar cost out of the Motor Fuel Tax Fund, and the percentages on the twenty percent failure rate, if you take a look at the states that...where the...the failure rates at, it depends on whether it's winter months or summer months. In the winter months your failure rate runs as high as sixty percent and that means a sixty percent of those vehicles through the winter months here in Illinois, unlike California having the same problem, the failure rate is going to be greater and that means it's going to be a greater cost out of the Highway Fund and...and to the taxpayers of this State, so...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey, can you bring your remarks...remarks to a close, please.

SENATOR COFFEY:

...so, I think, you know, we ought to take a look, again, you know, what happened in...in Albuquerque, New Mexico, the fact that what it's costing them to get out of this procedure presently. When...when they found that they were in compliance, which...what's going to happen probably here in Illinois in a year or two, and it's going to cost them over two and a half million dollars to buy out the facility because

the State Supreme Court has ruled that they can no longer force their people to take the emissions test. So, I think this is a bad bill and it still needs to go to Conference Committee and work out the problems, and I think we ought to oppose to this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. Well, Senator Davidson, indeed you are a faithful and loyal servant, but this thing ain't getting no better. As a matter of fact, it's got its own emission, which maybe ought to be tested, and I ask you, please, vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I have the highest respect for the sponsor of this bill, but I note that from a survey made by Senator Fawell, that in...just in my area alone, the biggest city that I have in Lake County, Waukegan, had two hours for each day listed in exceeding the ozone standards, which is ten hours. Ten hours for the whole year and that isn't enough, I do not feel, to subject my people to a centralized system where they may have to wait hours to be taken care of, and that's not enough, as far as I'm concerned, to put them waiting in lines to get their...cars tested. If we had a great ozone problem, which we did...do not have as evidence what happened in 1983 of only ten hours for the whole year, I could understand it, but I think that the Federal Government has exceeded its authority when it wants to enforce restrictions of this nature upon the State of Illinois for a hundred million dollars in road funds because by the same token we can restrict the Federal Government if we decide to pass legis-

lation not to pay our income tax until they come through with their funds for us. I don't feel that this bill is good. I don't believe in a centralized system. I'm concerned about it and I'm concerned particularly for my areas that are involved, and I speak against the bill.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. I've been told that the...the train is coming down the track. A deal was cut with a...with another bill. It's going to pass. I just would like to remind my colleagues, again, of the figures that our own EPA came up with and these are the same figure that the U.S. EPA uses, that the worst that we were in compliance in the whole County of Cook was over a six-day period for a total of twelve days up in Evanston. Up in Lincoln Park they were out of compliance for a grand total of two lousy hours. In my county, we were in compliance a hundred percent and yet three-fourths of my county are being dragged into this bill. I think this is...this is one of the most ridiculous bills we've got. I think we ought to tell the Federal Government what they can do with their bill. I think we...every one of us should call up Washington and get a hold of our congressional delegation and tell them that they are wrong, that we are in compliance and that it is up to them to get the EPA off our backs and quit horsing around. That's what they're there for, that's what they're paid for, and I would suggest you all vote No or try and go back and explain this to your fellow constituents.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Davidson may close.

SENATOR DAVIDSON:

Mr. President and members of the Senate, several points. First and foremost, the two previous speakers talk about the

short hours we were not in compliance and the rest of the time we are in but we have no latitude. We were out of compliance, that's the key word, and consequently, we have to do something so we're...we're in compliance totally, not just out of compliance so many short hours than any others, we have to remove those short hours; and the reason why parts of...county to the west of Cook is included is known as the prevailing wind currents which carry the pollutant air to the east. In response to one of the speakers talked about New Mexico, now let's get the facts straight. The New Mexico program was a centralized program administered by the City of Albuquerque with a private contractor doing the test and motorists paying the fee. Now, let's not talk about someone apt to buy someone out, that's true, but let's tell why...why. The New Mexico Supreme Court invalidated the fee on the basis that under the State Motor Vehicle Code the city had no authority to require a fee. According to the Albuquerque City Attorney's Office, one of the funding options they're looking into is to get the program operating again has increased the motor fuel tax in the Albuquerque area, had nothing to do with the centralized, decentralized or whatever, it had to do with the fact the city levied a fee out of the state motor fuel tax which was totally...totally a state function, and they did not have the authority to do it, that's why the buy out. Let's go over it one more time what this does. It's a computer match enforced by EPA. Consequently, we are going to save better than one and a half to two million dollars on the operating costs that alone. It's free to those people who have to be tested. There's a waiver which is given to the vehicles which was brought up in a question, if they show they have made the effort to repair. Three,...four, it is a central...centralized inspection, and if you want the State to pay for it, that's the way it should be. Also, we did something other states didn't do to help

out get in compliance, it also includes heavy-duty gas trucks.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Davidson, can you bring your remarks to a close?

SENATOR DAVIDSON:

Yes, I will. But more important, if we don't pass this, the monies that would be lost apply throughout the State, your area, my area, whatever on...every highway fund. Ladies and gentlemen, you need, for the sake of construction workers, thirty-seven votes up there like we had a minute ago on...reconsider this vote. I'd appreciate a Yes vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the first Conference Committee report on House Bill 1704. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Senator...have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 18, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 1704 and the bill having received the required constitutional majority is declared passed. Senator Chew having...moves...having...all right,...Charlie, there's been a request for a verification. Senator Coffey. The Secretary will read the affirmative vote.

SECRETARY:

The following voted in the affirmative: Becker, Berman, Bloom, Carroll, Chew, Collins, D'Arco, Davidson, Dawson, Degnan, Demuzio, Donahue, Etheredge, Grotberg, Jones, Jeremiah Joyce, Keats, Kelly, Lechowicz, Lenke, Luft, Marovitz, Netsch, Newhouse, Philip, Rigney, Sangmeister, Savickas, Schaffer, Schuneman, Smith, Sommer, Vadalabene,

Watson, Weaver, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey, do you question the presence of any member?

SENATOR COFFEY:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse. Senator Newhouse on the Floor? Senator Newhouse on the Floor? Strike his name.

SENATOR COFFEY:

Senator Smith.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Smith on the Floor? Senator Smith is on the Floor. She's back of the Chamber.

SENATOR COFFEY:

Senator Johns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Johns, I don't think, is voting, he's not on the roll call. Senator Coffey, do you question anyone else? All right, on that question, the Ayes are 37, the Nays are 18, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 1704 and the bill having received the required constitutional majority is declared passed, and the bill having...received the affirmative of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Davidson, for what purpose do you arise?

SENATOR DAVIDSON:

I'd move...I voted on the prevailing side, I move to reconsider the vote by which 1704 passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson moves to reconsider the vote by which the Conference Committee was adopted. Senator Vadalabene moves to Table that motion. Those in favor signify by saying

Aye. Opposed Nay. The Ayes have it. The motion is Tabled. All right, the Senate will stand at ease. All right. Messages from the House.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee report on House Bill 2987 and requests a second Committee of Conference. The Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce moves that the Senate accede to the request of the House. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Motion carried. All right. Supplemental Calendar No...No. 2 will be here momentarily.

PRESIDENT:

The Senate will come to order. While the members are reassembling, Senator Weaver, why don't we start with the easy ones. 1599...Supplemental Calendar No. 2 and on page 2 of that Calendar, on the flip side, is the Conference Committee report on Senate Bill 1599. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. This is the appropriation for the retirement benefits for the...I should say the employer's contributions, and it moves it from 66.7 down to sixty percent, so the Conference Committee report represents an appropriation of sixty-seven million three hundred and seventy-eight thousand two hundred and twenty dollars. This is an agreed amendment, I guess, and I'd move its adoption.

PRESIDENT:

Any discussion? There any discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, I think it's important to point out, and I know that Senator Carroll is going to make a point on this, but

it's important to point out that we are funding some of the systems at sixty percent and two of them at sixty-seven...sixty-six and two-thirds percent on the basis that when those bills were going through the process...and those bills in particular are the General Assembly's Retirement System and the...and the Judicial Retirement System. When they were going through the process, we still were negotiating at that point as between sixty-six and two-thirds, sixty-two and a half or sixty, and it is our intention, obviously, to make them all at exactly the same level. Through some inadvertence, something or other that happened in our negotiations, Senator Carroll and I feel somewhat taken advantage of, because they...the agreement seem to come out to be sixty percent on all the systems, and...and we don't really feel like we were a part of that agreement; however, the General Assembly and the Judicial Retirement System is on the Governor's Desk at sixty-six and two-thirds. It is our agreement with all of the other folks in the appropriations process that the Governor will reduction veto those systems down to the sixty percent that the universities and that the State retirement systems will get. I thought it was important to put that into the record at this time. I personally also felt it was important to say that somehow or other the sixty percent seemed to be an agreement that was reached that...at least I was never a part of, and I do not support, although in the end, I did sign a Conference Committee report that the one that Senator Weaver has now and that he's addressing at that amount due to the fact that it was a fait accompli at that point, and so I thought for...to make the process move along, I'd sign that...that report. Thank you, Mr. President.

PRESIDENT:

Further discussion? Further discussion? Senator Weaver, you wish to close?

SENATOR WEAVER:

Roll call.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1599. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 1 No, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1599 and the bill having received the required constitutional majority is declared passed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis, for what purpose do you arise?

END OF REEL

REEL #5

SENATOR DeANGELIS:

Mr. President, just a point of personal privilege. During the debate on the parochial school busing bill, I have found that two of my metaphorical comments have offended some of my brethren because they felt I was referring to them as being irreligious, and looking back, it might be construed that way. I would like to apologize to them. I meant none of that. In fact, I do not consider anyone who opposed the bill irreligious any more than I consider anyone who supported it to be anti-public education.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. On the order of business is Supplemental Calendar No. 2. We will start at the beginning with House Bill...Senator Keats, for what purpose do you arise?

SENATOR KEATS:

I asked out loud, in this case to the President of the Senate, would it be inappropriate for us just to give us five, ten more minutes on this appropriations? For once, some of us are actually looking at them and it's our first chance to see them. I don't really want to hold up the process, but could we just have a minute to look at the appropriations on that? I've already found a couple of real winners.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer, for what purpose do you arise?

SENATOR SOMMER:

Would it be possible to call on the first Calendar a concurrence on an appropriation? There's no real change on that as it left this Body as a regular agency.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, Senator Sommer.

SENATOR SOMMER:

While Senator Keats examines his documents.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes. Senator Sommer, what...what's the bill number?
Supplemental Calendar No. 1?

SENATOR SOMMER:

Senate Bill 1562.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Supplemental Calendar No. 1 is Senate Bill 1562 on the
Order of Secretary's Desk Concurrence. Senator Sommer.

SENATOR SOMMER:

This is the budget for the Department of Insurance. It
was simply over here late because it was held in the House
until, I believe, last night. The only change from our
action on it, and...and our action did reduce it, was the
House added back fifteen thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Any discussion? The
question is, shall the Senate concur with House Amendments 1
and 5 to Senate Bill 1562. Those in favor will vote Aye.
Those opposed will vote Nay. The voting is open. Have all
voted who wish? Have all voted who wish? Have all voted who
wish? Take the record. On that question, the Ayes are 51,
the Nays are none, none voting Present. The Senate does
concur with House Amendments 1 and 5 to Senate Bill 1562 and
the bill having received the required constitutional majority
is declared passed. Back on Supplemental Calendar No. 2 is
House Bill 2546, Senator Rock. Senator Rock is recognized
for a motion.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the
Senate. This is the FY '85 appropriation for the ordinary
and contingent expenses of the State Board of Education, both
Operations and Grants, in the total amount of one billion two

hundred and eight million eight hundred and fifty-one dollars. It is a sixty-two million dollar increase in Operations and Grants over FY '84. It is...I can tell the members of the Senate, when this bill passed out of here it passed unanimously. It is thirty-one million dollars below Senate action. It has retirement, as Senator Buzbee I'm sure would point out, at sixty percent payout. I would ask your favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is on the adoption of the first Conference Committee report. Is there any discussion? Senator Keats.

SENATOR KEATS:

Quickly clarification question. One of the special programs is a grant for Hispanic studies...a Hispanic study funded for the first time. Was that the Hispanic study that we passed the resolution that we were told there would be no State funds?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No, I think that...is that the thirteen thousand dollars for summer school? All right, Senator, I'll yield to Senator Berman. My understand is that's not it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

There's...how much is the appropriation? Fifty thousand. It is...it is the Hispanic study and I believe it...it is the one that we approved previously. I just...my recollection was that I didn't recall regarding a statement about no State funding, but that...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I will personally ask the Governor to veto that out. I didn't ask for that. That has nothing whatever to do with SJR 82. I'm just told by Senator Buzbee it came from one of the House members. Not I, Lord.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2546. 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? Emil. Have all voted who wish? Take the record. On that question, the Ayes are 49, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 2546 and the bill having received the required constitutional majority is declared law. House Bill 2546, Senator Buzbee. House Bill 2637, Senator Kustra. House Bill...2637. House Bill 2637. Senator Kustra is recognized for a motion.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. This is the appropriation for the Department of Rehabilitation Services. It has with it Senate Amendments Nos. 1, 2 and 3. It's an appropriation for a hundred and eight million seven hundred and sixty thousand two hundred dollars. I would ask that Conference Committee...Report No. 1 be adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion on the question of the adoption of Conference Committee Report No. 1 to House Bill 2637? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2637? 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? Senator Vadalabene. Have all voted who

wish? Take the record. On that question, the Ayes are 48, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 2637 and the bill having received the required constitutional majority is declared passed. House Bill 2638, Senator Sommer. Senator Sommer is recognized for a motion on House Bill 2638.

SENATOR SOMMER:

Mr. President and members, I move that we do adopt the Conference Committee report on House Bill 2638. This is the new capital appropriation bill; obviously, there's add-ons and projects in here and be happy to respond to any questions. To the best of my knowledge, there's nothing in here that would cause anybody to...to be embarrassed about casting a vote. They're simply projects that some people think are important and some that the administration thinks are important.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is on the adoption of the first Conference Committee report. Is there any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2638. 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? Sam. Have all voted who wish? Take the record. On that question, the Ayes are...45, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 2638 and the bill having received the required constitutional majority is declared passed. House Bill 2640, Senator Sommer. Senator Sommer is recognized for a motion on House Bill 2640.

SENATOR SOMMER:

Mr. President and members, I move the Senate do adopt the first Conference Committee report on House Bill 2640. The

only reason that this was in Conference Committee at all was to break out the money allocated to the...the amnesty program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is on the adoption of the first Conference Committee report. Is there any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2640. 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 48, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 2640 and the bill having received the required constitutional majority is declared passed. House Bill 2664, Senator Carroll. Senator Carroll is recognized for a motion.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the Conference Committee report on the court system. We had to add back some money for court reporters pursuant to a new law that had been passed. I believe that was the basic difference in that and the way it had left the Senate. I would move for...adoption of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is on the adoption of the first Conference Committee report. Is there any discussion? If not, the question is, shall...shall the Senate adopt the first Conference Committee report on House Bill 2664. Those in favor will 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? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 9, none voting Present. The Senate does adopt the first Conference

Committee report on House Bill 2664 and the bill having received the required constitutional majority is declared passed. Senator Buzbee, are you ready? Senator...on House Bill 2547, Senator...no, it's a hold. House Bill 2740, Senator Lemke. On the back of the Supplemental Calendar No. 2 is House Bill 2740, Senator Lemke is recognized for a motion.

SENATOR LEMKE:

What this...second Conference Committee report does is concur in Senate Amendments No...House concurs in Senate Amendments No. 1 and 2. Senate recedes from Senate Amendment No. 3 and the bill as amended is further amended as follows. Notwithstanding provisions of any other law to the contrary, after the effective date of this amendatory Act any counties with less than three...three million population may adopt a consolidated tax levy system which shall consist of an aggregate total of the individual tax levies, and it sets forth the procedures in the Act. I think it's a good bill and it gives...it puts the power in the county board where it should be and not in the Legislature.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Lemke has...has moved the adoption of the...second Conference Committee report and there are several who have indicated they wish to speak. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. My microphone is out of kilter. Senator Lemke, I have not yet located the second Conference Committee report on this. I am familiar with what was in the first Conference Committee, and among other things, it did provide for a consolidation of property tax rates without referendum in all counties, I believe, other than Cook, and it was done in a way in which quite clearly it would in effect authorize some...in some cases, some fairly significant tax increases without referendum. I'm not

so...I'm not sure about the...the general principle of a consolidated tax levy. It seems to me that it might have some merit, although I think it's one of those things that ought not to be sprung upon us in a Conference Committee report at this late date without some consideration; but in any event, I...I certainly am concerned about the impact of this, and I am just not clear about what has happened in the second Conference Committee report in that respect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I'd like mention a couple of items in here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Pardon me, Senator...Senator Luft, I beg your pardon. Senator Netsch.

SENATOR NETSCH:

A question to the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh.

SENATOR NETSCH:

Not just a speech.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it's hard for me to determine those anymore. Senator Lemke.

SENATOR LEMKE:

...question, I...I...you know, I thought it was a speech.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Netsch, would you restate your question or speech or whatever.

SENATOR NETSCH:

Thank you. The first Conference Committee report provided for consolidation of property tax rates with respect to virtually, I guess, every county in the State and in the

process clearly authorized tax increases without referendum. In what respect does the second Conference Committee report change that, if at all, or is that consolidation scheme still in the second Conference Committee report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LEMKE:

According to our staff, the tax increase is out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

But the second Conference Committee report does still authorize consolidation. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LEMKE:

That's what the staff says, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I guess I'm...I'm not quite clear how I know that it authorizes consolidation but no longer authorizes a tax increase. I mean, it seems to me you've got to do an awful lot of computation to make sure that you are not, in fact, authorizing considerable tax increases.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LEMKE:

My understanding is, in the provision where it said in certain counties it went up, that provision is out. I assume some...a way of consolidation there would be some increased taxes and maybe some decreases of taxes. I wouldn't know, I'm not familiar with each county in the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Netsch.

SENATOR NETSCH:

All right, let make a comment and then...and if this is not an accurate or fair reflection, then I'm willing to be corrected, but it seems to me even without the schedule of proposed maximum tax rates that was included in the first Conference Committee report, if you are, in fact, authorizing consolidation of all tax rates available to a county and there are certain categories which have not been fully utilized in the past, then, in a sense, you are, in fact, authorizing a tax increase, and it seems to me that this is a very troublesome thing for us to deal with in the form of Conference Committee report at this late date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would stand in real strong opposition to this. First of all, this requires a two-thirds vote of a county board to implement this, and I don't think any self-respective county board would ever implement something like this. Second of all, by combining or consolidating the rates, I'm not so sure you're going to increase them, but let me tell you what a tax increase this is. Under the county budgeting process, if you would budget, and I'm going to give you a little scenario, a million dollars for the General Corporate Fund, you first, before you set your levies, subtract your cash balance from the prior fiscal year. So, if you had a five hundred thousand dollar cash balance, all you would do is levy for a half million dollars. What this bill does is set up a capital improvement fund that simply says, after you consolidate, and if at the end of the year you got a million dollars left over in these consolidate funds, you may transfer all that money into a capital improvement fund, which means that a cash balance will not be subtracted; so if

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your consolidation totals something like forty percent, every year you will...you will change...or you will levy for the forty percent. This is really a bad bill. If you want to get into accountability and auditing procedures and everything, I think that these rates should be identified to know much we're spending for elections, how much we're spending for the General Corporate Fund and every other tax levy we have. I would hope that we'd pay attention on this. This is really bad and hope we would vote it down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge. I'm sorry, Senator Etheredge. Senator Keats. Senator Keats. Senator...Senator Lemke, what purpose do you arise?

SENATOR LEMKE:

Can we take this out of the record until I talk to Representative Giorgi?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lemke has requested to...with leave of the Body, to take it out of the record. Take it out of the record. House Bill 2785, Senator...Carroll. We have...not granted any leave yet to date for pictures. House Bill 2785, Senator Carroll. Are they from your district?

SENATOR CARROLL:

Yeah. Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the...this is Conference Committee report on the ordinary and contingent expenses of the Office of the Attorney General. The budget...we had forgotten to put in a...an effective date. The reason for the conference was merely to add that, and I would urge adoption of Conference Committee Report No. 1, it is for twenty-seven million five total.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...the question is on the adoption of the first Conference Committee report. Is there any discus-

sion? Senator Keats.

SENATOR KEATS:

A question of the sponsor. Why does...I mean, and I'm a fan of the Attorney General, I think he's doing a fine job and I mean that in a bipartisan way, but why does he need fourteen new offices?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

There are those who might say we were lucky at getting away at that. The House has, you know, started adding them district by district by district. We took them and grouped them and lumped them and left it up to the Attorney General to pick where. We did not identify the places. And the total is...he has the availability to go with regional offices up to fourteen throughout the State. Hopefully, where there are State facilities, he may even be in those.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

The language does not require that he has to open fourteen though, it's an optional?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll. Senator Carroll.

SENATOR CARROLL:

This isn't substantive language, so all we have done is allowed for it should he so desire it. It is my understanding that last year there were some regional offices opened, Rockford, et cetera that were extremely successful. They were encouraged by local governments to come in there to be helpful to local people and this allows that program to continue. It is not a mandate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much, Mr. President. When you talk about the Attorney General opening fourteen regional offices,...I assume you are talking in addition to our own state's attorney having his office still in the...in the counties. My question is, why in the world would the Attorney General have to go and open regional offices throughout the State, handling State business which the vast majority is handled by our own state's attorneys with his staff? I can understand having one or two around the State plus, the one in Chicago and...and Springfield, but why in the world would he want to open fourteen more and how many has he got now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I don't know how many there are now. I know it's a lot less than the offices of the Executive Branch of the Governor or the Secretary of State, significantly less than either of those. And that is not the issue. They have found that by having these regional offices...and this was a suggestion that emanated from the House not in the original from the Attorney General, and they found that the advocacy offices particularly were better served than the investigative of those advocaces; the handicapped, disabled, elderly, et cetera were better handled out there as were the consumer fraud type, which is not quite the same as what a state's attorney does, not the other aspects of the office but traditionally those in which our constituents can get more easily their relief and investigators can more quickly respond. Those are the types of offices that had opened, as I said, in Rockford and I thought there were two others, I can't remember them offhand, where they were the advocates and investigators for the handicapped, disabled, nursing home reform, et cetera and for seniors and for this consumer fraud

type. And there again, the people appreciated and they were invited by local government so that the people did not have to either come to Springfield or go to Chicago to make those complaints and the investigators, again, were at least a half-day closer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. When I think of the number of bills in this General Assembly that have been sponsored by Governor Thompson, Governor Madigan and Governor Hartigan, it amazes me that in this one bill that we are going to give Governor-to-be Hartigan a built-in head start on that bitter race. And seventeen...I...I...I can't imagine how successful I could be as a candidate with seventeen new county offices just in time for filing next fall. I think we should just call it what it is, and they're all good friends of mine, but the...if it...the scam is...is here and this is the bill. Vote any way you want to depending on which side you're on. I'm going to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion?...Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I feel that the regional offices may make some sense if they are to serve a proper function of the Attorney General's Office, and consumer protection is certainly a traditional function of that office, and I believe that those offices need to be beefed up in places around the State where individuals who have been wronged by businesses in the State would have access to those offices. But the Attorney General told me in a private conversation earlier this spring that the money was going to come out of...of the regular appropriation that had been introduced by the Attorney General's Office earlier this

Session. But as I look at our analysis, it appears that the Conference Committee report is three million dollars over and above the amount of the appropriation that was introduced, and I don't see how that three million dollars is accounted for. Senate Floor Amendment No. 2 is apparently only eight hundred...eight hundred and ninety-one thousand of it. It seems to me that the Attorney General is going above and beyond what the State's lawyer should be doing even in the interest of all the people in addition to his constitutionally designated role as the attorney for the State. He now sees himself as an advocate for the disabled, for the elderly, for every abused person in the State when we have in the Executive Branch already a Department of Aging to look after the elderly; we have a Department of Rehabilitation Services to look after the disabled. I don't think we need anymore self-appointed ombudsman in the Executive Branch to be handling these functions unless it's for clearly a political purpose, and that I'm afraid, is what this appears to be.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I stand in support of the...motion. Just a comment on the previous speaker's remarks. I think that although we have had agencies in the past and departments with well-meaning titles, too often they have been agencies in name only as far as their...their role of advocacy. I...I have been involved, as all of you have been, in responding to legislation this Session alone concerning the needs of the disabled for parking, and that bill was instituted by the Attorney General's Office, jointly supported by the Secretary of State and the Attorney General. We have legislation that's on the Governor's Desk dealing with the revisions of some of the provisions of special edu-

cation...evaluations of children. That came from the Attorney General's Office. And there are a number of other areas that slip my mind at the moment, but I'm sure if I recap some of his legislation you will see that there is some positive initiative that captured the overwhelming votes on the Floor of this House because we recognized the value of that advocacy role. Certain segments of the public need strong, positive, viable advocates. The usual bureaucratic positions just don't fill the bill. And I think that it is crass politics to oppose affirmative action in the broadest sense by an elected public official, and although he is the attorney for the State of Illinois, I commend him, as you have in your votes, in recognition that he is not just the lawyers' lawyer, he is the people's lawyer, and gets up...out in front on issues such as the controversy involving the...chips and where they're to be deposited, and the environment, right, Senator Schuneman? This is the kind of, I think, up-front kind of advocacy that we expect, and I have no doubt that the approval of this budget will see more of that kind of proactive representation on behalf of the people of the State of Illinois. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you. I...I rise in support of the Conference Committee Report on House Bill 2785. You know every time we get into the negotiating process at the end of the Session on...on the appropriation bills, the point is always made at least once and usually several times that the elected officials of the Executive Branch have a right to the budget that they request. We don't let them go crazy, we put constraints upon them, but Governor Thompson has had several goodies added to his budget this time and rightfully so, he's the Governor of the State and there are things that he has to

perform that...that takes money to...to do them. I was reminded just this morning again by one of my good friends on the other side that it is the Executive Branch and the Governor has requested it and it's for a worthy cause and we ought to do it. I think the analogy, the analogue could be drawn between that budget and the Attorney General's budget. The Attorney General has established area offices and needs to establish some more, and that would of course save some dollars in the getting rid of all of the contractual lawyers that he's had...that the Attorney General's office has had in the past. I think this is a request that we ought to honor on the basis...this is the State's constitutionally elected lawyer to serve the people of the State of Illinois, and we ought to let him have the budget that he has requested here. It is...it...it is for a good cause and I would advocate an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. All this Conference Committee report does, it puts back an effective date. Now the budget was thoroughly reviewed in the appropriations process and it was pointed out there was fifty to sixty million dollars presently within the respective State appropriations for outside legal counsel. Attorney General Hartigan not only mentioned that fact but he mentioned the fact that, in all fairness, in order to do the type of representation and legal advice to the citizenry of Illinois, he requested that these budgets be included in his budget. So if you want to be fair, there is sixty million dollars for outside legal counsel floating around in all the other budgets, he's asking for three million dollars approximately to have respective offices in every, say, for example, corresponding geographical areas in this State. I think

that's fair. And if you want to start playing games on this budget, at this time, it's a step in the wrong direction and it will be here for a long time. Please give it a fair thought and consideration. All this Conference Committee does is put back an effective date which was erroneously taken out by the Senate amendment, and I move...and would encourage its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Very briefly, I concur with Senator Lechowicz's comments. It was clearly pointed out in the Appropriations I Committee that if the Attorney General could assume more of the responsibilities of his office and cut out some of the unnecessary...legal services by the other agencies of State Government, we could, in fact, save money in this office. There was a comment on the other side of the aisle that the Attorney General has expanded his office reaching far beyond the scope of what they thought he should. It's because of the consumers' demand on the Attorney General and his staff and his utilization of that office that those demands are made. It's because our constituents request it. We stood on the Floor of this Senate last evening and gave ourselves a hefty district service allotment increase, justifiably so, but a hefty one nonetheless. The Attorney General of the State of Illinois is going to continue to fight for consumers and continue to fight for our constituencies, then I think this appropriation is in order, and, I too, would lend my support.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Carroll may close.

SENATOR CARROLL:

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

Senate. Just one brief second before a roll call, this is about eight percent of the add-ons the Governor has asked for, his total budget of the Attorney General is less than eight percent of the millions of dollars, the hundred and seventy-five million of General Revenue the Governor has asked for since the budget book was printed. This...the add-on that you voted on, record vote, when the budget passed, made by the House and by the Senate, is less than the Governor's request for additional legal services since the Conference Committee process started, less than what you are asking us to support for additional legal services for the Executive Branch of Government to spend instead of the Attorney General. I think this is a reasonable budget. You said so too when you voted that way. All this Conference Committee report deals with is the effective date. I would ask for your vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption of the first Conference Committee report on House Bill 2785. 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? Have all voted who wish? Take the record. On that question, the Ayes are 30, the Nays are 17, 1 voting Present. Senator Carroll asks that further consideration of House Bill 2785 be postponed and be placed on the Order of Postponed Consideration. Senator Etheredge on Senate Bill 1538.

SENATOR ETHEREDGE:

Yes, Mr. President and Ladies and Gentlemen of the Senate, I move to concur with House Amendments 1, 2, 4 and 5 on Senate Bill 1538. These amendments and the bill itself deal with the...with sanitary districts...House Amendment No. 1 adds a provision which makes it permissible for sanitary districts to require permits to discharge pollutants in the sanitary district systems. House Amendment No. 2 allows

sanitary districts to...purchase materials and labor and supplies without competitive building...bidding when a emergency is...exists. There are some protections built into this, though, it would require two-thirds vote of the...of the board and they...in emergency would have to be declared and the notice...posted. House Amendment No. 4 amends the Chicago Sanitary District Act and it permits them to issue notes or other evidence of indebtness in addition to bonds. I would be happy to respond to any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I stand in opposition to Conference Committee Report No. 2. As the gentleman pointed out, it provides where they can do items without going to bid. I believe this is contrary to public policy and should be defeated.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Etheredge may close.

SENATOR ETHEREDGE:

Yes, well I...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Berman...excuse me...Senator Berman.

SENATOR BERMAN:

Is the funding for the math and science academy in here? It's not. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Further discussion? Senator Etheredge may close.

SENATOR ETHEREDGE:

Yes, this is...this bill deals only with the...the law as it affects sanitary districts...Senator. I...I want to emphasize in regard to the...the change which is pruposed in

regard to the suspension of the competitive bidding procedures, as one who lives in the sanitary district who was confronted with the emergency situations last July as a consequence of...of flooding. I think we would...I...I know from...from firsthand experience there are times when there is a...a threat to the public's health and safety that does require the...the quick action by the board of...board of trustees in order to correct the malfunction of equipment so that the public can be...can be protected. As a matter of fact, the provisions that are proposed here for the sanitary districts of...organized under the Act of 1917 are...are similar to those which already exist as they apply to the Chicago...Metropolitan Sanitary District. So, I think this...these are very reasonable...provisions. They are in the best interest of the...of...of the people that are served by these districts, and I would ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is on the adoption of second Conference Committee report to Senate Bill 1538. 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? Have all voted who wish? Take the record. On that question, the Ayes are 26, the Nays are 24. Further consideration has been requested by the sponsor that it be postponed. It will be placed on the Order of Postponed Consideration. Senate Bill 1541, Senator Rock. Senator Rock is recognized for a motion on the first Conference Committee report.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The Conference Committee report on...Senate Bill 1541 appropriates the funds for the ordinary and contingent expenses of the agencies and commissions as we substantively determined them to be a little earlier today. The total

appropriation for FY '85 is twelve million dollars which breaks out nine million for the full year funding for the service commissions, a million dollars for the seven commissions which are due to expire March 31, 1985, and the three-month funding in the amount of one million two hundred thousand dollars for the remaining thirty-five commissions due to expire September 30, 1984. The net savings under the substantive legislation as reflected in this bill for FY '85 approaches five million dollars. I would urge a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? Senator Barkhausen. Okay. Question is on the adoption of the first Conference Committee report to Senate Bill 1541. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 6, none voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 1541 and the bill having received the required constitutional majority is declared passed. Senate Bill 1546, Senator Carroll.

SENATOR CARROLL:

Just move that we do not adopt the Conference Committee Report No. 1 and so inform the House.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that we do not adopt the first Conference Committee report. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate does not adopt the first Conference Committee report on Senate Bill 1546. For what purpose does Senator Fawell seek recognition?

SENATOR FAWELL:

Well, on...on the last bill, I just was sort of curious, what did we ever do to go to...gentle...that we...we're going to put eight million four hundred and thirty thousand dollars

in the...in the budget? What did we ever...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell, perhaps you could ask Senator Rock. Well,...it...it is gone. It is a...it is a matter of a question on a bill that just passed. Perhaps someone from the Appropriations staff could answer Senator Fawell's question off the microphones. Senate Bill 1547, Senator Rock. Senator Rock is recognized for a motion.

SENATOR ROCK:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. The first Conference Committee report on Senate Bill 1547 is the FY '85 appropriation for the ordinary and contingent expenses of the Illinois General Assembly in the amount of sixteen million dollars. I would urge a favorable roll call. Put a number on the board, Mr. Secretary, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1547. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 6, none voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 1547 and the bill having received the required constitutional majority is declared passed. Senate Bill 1548, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The first Conference Committee report on Senate Bill 1548 is the FY '85 appropriation for the district office allowance for members of the General Assembly reflecting the action that this Body took in the Conference Committee report on 1743, sponsored by Senator Hall. The total amount for FY '85 is 5.3 million dollars. I would ask for a favorable roll

call and move the adoption of the Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1548. 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 33, the Nays are 13, 1 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1548 and the bill having received the required constitutional majority is declared passed. Senate Bill 1549, Senator Rigney. For what purpose Senator Rock arise?

SENATOR ROCK:

I wonder if we can stand at ease for two minutes while we try to iron out a problem here?

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the Senate will stand at ease subject to the call...the Senate will stand in Recess subject to the call of the Chair here.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Senate will come to order. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have discussed the matter with Senator Philip and I wonder, with leave of the Body, if we can move to the Order of Consideration Postponed for consideration of House Bill 2785.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the request. Is leave granted? Leave is

granted. On the Order of House Bills...Order of Postponed Consideration is House Bill 2785, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Conference Committee Report No. 1 adds an effective date of July 1. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2785...Senator...Senator Schaffer, for what purpose do you arise?

SENATOR SCHAPFER:

Well, this again is the Attorney General's budget and, frankly, I think probably we ought to have a couple of comments on the subject. Traditionally, in the...in a Legislature, we have allowed the elected Statewide officials to pretty well draft their own budgets and within bounds of sanity proceed. If a...the individual elected official wishes to bloat up his budget, he or she will have the honor of running on that record. I would respectfully suggest that some of us are less than enthusiastic about the sudden expansion of these regional offices and somewhat suspicious of what they might be used for, although I can assure you that none of us will be monitoring any political activities in those offices until after the '86 Democratic Primary, but before that, we have no interest. I would suggest that we let the Attorney General have the budget that he has asked for and let him also defend it. This is the courtesy we give the Governor and all the other Statewide officials and that the Governor, by the way, grants the legislative budgets, again, within the...the realm of reason. I can recognize why some of the members on this side would be less than enthusiastic, but I would suggest in the interest of an orderly finale to this Session that we provide the necessary

thirty-six votes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall...any further discussion? Question is, shall the Senate adopt the first Conference Committee report on House Bill 2785. 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? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 6, 1 voting Present. The Senate does adopt the first Conference Committee report on House Bill 2785 and the bill having received the required constitutional majority is declared passed. Senator...all right, Senate...there's Senate Bill 1549. Senate Bill 1549, Senator Rigney. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

Mr. President, I have a bill, Senate Bill 1538, which is also on postponed consideration. I wonder if that could be confused...could...could be considered at this time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I...wait a minute. Since we're on that order, I don't have any problem considering it. I want you to know, however, that there are not a lot who are thrilled with the substance and it had nothing to do with the games that are being played in both Houses. There are some who are just unhappy with the substance of the legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge, are you prepared to proceed? Senator Etheredge.

SENATOR ETHEREDGE:

Well...all right, Mr. President and Ladies and Gentlemen of the Senate, I am...I would be very happy to respond

to...to any questions or...or concerns that are...are in this...in this...in the legislation. I think that the provisions which are...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Etheredge, on the Order of Postponed Consideration is Senate Bill...what is that? 38? 39?...1538, so, Senator Etheredge, you may proceed.

SENATOR ETHEREDGE:

Well, Mr. President and Ladies and Gentlemen of the Senate, we've been through the provisions of the...of the bill and the amendments. I think perhaps at this point it would best for me to respond to any questions that you...might have and, hopefully, I'll be able to allay some of the concerns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I don't know maybe you didn't hear me, but I objected going to this order of business at this time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, we, in fact, are on this order of business. Leave was granted to go to the Order of Postponed Consideration by the Body at the request of Senator Rock. There are two bills on postponed consideration and, therefore, we are on the order of business of postponed consideration. Senator Lechowicz.

SENATOR LECHOWICZ:

Then I'm going to speak against this bill as I did before. I don't think it's improved any iota since the last time it was heard by this Body. It still stinks and still should be voted No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Under this bill, if I understand it correctly, you have an unlimited method of financing without referendum. Isn't that so?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

No, that is not true, Senator. I think that you may be looking at an earlier Conference Committee report. I think that may be part...the source of some of the confusion because the first...Conference Committee report included the provisions of a...of a House bill. That House bill and all of its provisions are now eliminated. What we are looking at is the...just the basic Senate Bill 1538 with the four House amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

If I recall correctly, wasn't that House bill House Bill 2753?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, you are correct and that...all of those provisions are out of this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Will you tell us then what is in this bill now that it's been stripped by the Conference Committee Report No. 2?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I will be very happy to do that for you. In the provisions are...I should say at the outset, these are...provisions which give to the sanitary districts organized under the Act of 1917 similar authorities that have been provided to the Chicago Metropolitan Sanitary District. In other words, these provisions track provisions which are already in law. The first amendment adds...or makes it possible for sanitary districts to require a permit for users of the sanitary system who wish to discharge pollutants into the sanitary district system. These are the provisions...I should say these provisions are permissive, they are already in the law as it respect...as it applies to the Chicago Sanitary District. We're simply trying to give our...many of the downstate districts the same kind of...of authority now enjoyed by the Chicago Sanitary District. House Amendment No. 2...makes it possible for sanitary districts who find themselves...again, downstate districts that find themselves in emergency situation to purchase equipment, materials and supplies in order to meet the health and...and safety needs of the people they serve. There are protections. You can't...these boards simply can't go out and buy this...buy the...make these purchases; in order to...to meet these needs, it would require a two-thirds vote of the trustees, they would have to state the...they would have to declare, in essence, the state of emergency and define why it exists, post the notice and do...go through these...these safeguards. House Amendment No. 4 is one which impacts not the downstate districts but the Chicago Sanitary District itself and its...it provides or makes it possible for them to issue notes or other evidence of indebtedness in addition to bonds. House Amendment No. 5 is a very simple one. It makes House

Amendment No. 1...permissive. So, in...I want to emphasize, what these provisions do is to give the downstate districts, and in one instance the Chicago Sanitary District, similar opportunities...or similar authorities in order that they can do the job for which they are...are organized. I think all of these are...are reasonable, there are no...there's no instance here of taxation without...without referendum or anything of...of that nature. I would be happy to...to respond to any questions in regard to those provisions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz. Senator Marovitz. Okay. Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Let me make one point in case there is any confusion about this. Earlier versions of the amendments to this bill as well as other bills did include what was in effect a tax increase for the metropolitan sanitary district, that is no longer in this version. This authorizes the use of what is referred to as a creative financing technique known as demand notes but it has no property tax implications at all. I would suggest that the metropolitan sanitary district which just had an unfortunate going to market occurrence recently probably does need something to allow it to finance its operations without the...the current market conditions which apparently are not treating it very well. So, that provision, very likely, is quite important in terms of their ability to do what they have to do. The other provision on the emergency purchases without competitive bidding probably is not unusual. I'm not that happy about it. I think I'd be more comfortable if it were a twenty-five thousand rather than forty thousand, but I...it is not an unusual provision in any event. I think those things need to be explained...and I don't know how I'm going to vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge may close.

SENATOR ETHEREDGE:

Well, Mr. President and Ladies and Gentlemen of the Senate, I think that some of the...there has been some confusion...a good deal of confusion surrounding this particular...this particular proposal because it...it did contain at one time some provisions that applied to the Chicago Sanitary District, that did provide for a tax increase without referendum, but I want...again, I want to emphasize that all of that is now out of this Conference Committee report. The provisions which are in are provisions which are designed to...to meet some...some immediate needs of our sanitary districts. These are...are changes which are...are needed now and I would ask for your support.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption of the second Conference Committee report to Senate Bill 1538. 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 30, the Nays are 9,...Senator Etheredge, do know whether it has an immediate effective date or not? All right. All right, the bill has an immediate effective date within the body of it, so having received 30 affirmative votes, 9 negative votes, and 8 voting Present, the bill...the Senate does not adopt the second Conference Committee report to Senate Bill 1538. Senate Bill 1549, Senator Rigney. Senator Rigney is recognized for a motion.

SENATOR RIGNEY:

Well, Mr. President, I'm going to recommend concurring in this Conference Committee report. It's the Department of Agriculture in the amount of forty-four million five hundred and forty-one thousand dollars. I must confess, there is in

this good agricultural budget a fair amount of pork and even some money for the rabbits. If you're wondering what has happened as far as the Senate amendments are concerned, they are all in as the way the left the Senate. In addition to that, once it got over to the House, there were a few other add-ons, the rabbit show for twenty-five hundred dollars. There was also a hundred and six thousand dollars for an ethnic and cultural events at the Illinois State Fair, thirty thousand two hundred dollars for premium awards at the Gallatin Fair, a hundred and fifty thousand dollars at the request of the department for premiums...I beg your pardon, out of the Ag. Premium Fund but it's for the entertainment contracts at the Illinois State Fair and then an additional fifty thousand dollars of Capital Development Fund money which I understand is going to be necessary for some roof work out there that inadvertently got left off of the CDB budget. Ask for your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Lemke.

SENATOR LEMKE:

How much...how much have they got in there for the entertainment? No, not for...no, how much for the other entertainment in the budget, like Charlie Daniels and all these big names from out-of-state?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

As I understand, this hundred and fifty thousand dollars is some overlap money on...on contracts that overlap into two different years on the various entertainment items that we have at the State fair. I'm not implying that a hundred and fifty thousand dollars covers all of those entertainment contracts, but apparently you do have some overlap between the two years.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

That's not what I asked. I wanted to know how much money was in there for entertainment contracts. How much are we spending over this period of time for...entertainment contracts?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

Approximately five hundred and fifty thousand a year.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

Well, you know, it's a great amount of money for entertainment; yet, we can't keep the Heritage Square going over which costs...considerably less and saves the State money and that the heritage area's entertainers from Illinois that do everything voluntarily and all we do is spend a little money for their...their thing down here. My understanding is in talking to some of the House Republicans that they have requested the Governor to veto out the Heritage a hundred and six thousand dollars which is spent for transportation and room and board at the...the fair. Now, I guess I...I don't know what the policy is of the Department of Agriculture or the State fair people, but I guess it looks like they want to spend more money on people from out-of-state than people from in-state who come to the fair and spend money and also bring money and increase the attendance. There's some...something is wrong here in the State of Illinois when we can't take care of our own people and we got to take care of out-of-staters. I...I don't know what to do on this particular budget. I think we should hold the bill and wait to get a clarification from the Governor if he's going to veto out

this money for Illinois residents. I mean, that's what I think ought to happen.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I think that this money for the entertainment, if I...correct me if I'm wrong, that is so that we can pay the entertainers and then as the crowds pay to get in the grandstand, it's a different fund. It is so the State of Illinois can...or the fair can pay those people when they come there and...and do their act and...and then the fair makes money from the attendance that is...is there. So, this...this money is not coming out of our general fund for entertainment. It is just seed money so that we can get the entertainers there. Is that right, Senator Rigney?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rigney.

SENATOR RIGNEY:

You're correct, Senator Joyce. I've just learned that the take at the gate for all the various fair events is about six hundred and thirteen thousand dollars for that entertainment, so we actually make money on the professional entertainment at the Illinois State Fair.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce, had you completed? Senator Schaffer. All right, further discussion? Senator Lemke.

SENATOR LEMKE:

It's my understanding at the grandstand that that show is run by the American Business Association and they underwrite it and that that money that comes back, they get it. So, I'd like to have a definite figure of what it costs the State. I understand in previous years we have lost money on the entertainment at the State fair and the grandstand shows. I

understand that the contracts are great and we actually lose money on that, and it doesn't bring people to the State fair to spend money in other areas. That's my understanding, I...I'd like to have a clarification of that...because I...I understand it's costing us money, and I think that money is not money that we get back, that's my opinion, we do not get the entire sum of...over five hundred thousand dollars back from the shows.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAPPER:

Well, Senator Lemke, I understand this money is used on the entertainers who come here and accept a percentage of the revenues...gate revenues for...or...or for the show revenues for their salary, and we have tried to encourage that kind of contract so that in effect we cannot lose money. If we make a zillion dollars, they a get percentage of that, and if we have a bad day, they have bad day. This is...somewhat...this is also a reappropriation of Ag. Premium Fund by the way. I think it makes sense if we can get the big name entertainers to come in on that kind of basis and they gamble on the weather and the mood of the public along with us, we don't lose money.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson.

SENATOR DAVIDSON:

Senator Lemke, your American Business Club is a civic club which bids for the right to handle the concessions at the fairgrounds, grandstand and at the coliseum just like the veterans handle the other concessions in the fairgrounds. They have not one iota do with the grandstand show whatsoever. They pay a percentage of the gross take as well as a flat rent to the fairgrounds. It brings a very productive amount of money into the fairground general revenue account,

and what their net is after all that and their expenses is what they give out to their civic projects or charitable projects throughout the State because the civic ABC Clubs throughout central Illinois participate in it. They have not one iota to say about the grandstand show, and the other part was going to the contract percentage to the big name stars, that's what fills that grandstand. We couldn't have got Alabama which sold out the first twenty-four hours they put the tickets on sale at the fairgrounds without a percentage, or Willie Nelson or Kenny Rogers, that's what it's all about.

PRESIDING OFFICER: (SENATOR BRUCE)

Seth Pearlman from the Associated Press is...requesting leave to photograph the proceedings. Is there leave? Leave is granted. Senator Lechowicz.

SENATOR LECHOWICZ:

Very briefly, Mr. President and Ladies and Gentlemen of the Senate, I stand in support of this Conference Committee. It's very important that agriculture, the largest, most popular...most prosperous industry in this State be supported. We...we spent a good deal of time in the appropriations process and also in the Conference Committee process reviewing this budget. It does merit your support and I would hope that every member would vote Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senator, a few minutes ago you mentioned something about there's something in there for rabbits. How much was that?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bigney.

SENATOR RIGNEY:

I knew you have a great interest in rabbits, it's a

twenty-five hundred dollar appropriation. I understand that there's a...some kind of a special rabbit show that's held out at the fairgrounds apparently not in connection with the Illinois State Fair, it's a separate event of some kind. So, I think maybe...maybe you'll like to attend this year.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Bev, this is Sam. You remember the tragedy we had last night when we lost our rabbit? Is there any way that we could adopt a rabbit out of this bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR VADALABENE:

...'cause I don't want to have anymore kids.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

Sam, I...I understand that the rabbit was found over there.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, the question is on the adoption of the first Conference Committee report to Senate Bill 1549. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes 49, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1549 and the bill having received the required constitutional majority is declared passed. Senate Bill 1558, Senator Weaver is...for what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr President and Ladies and Gentlemen of the Senate, having...voted on the prevailing side on the conference report

on Senate Bill 1538 which failed, I would like to move to reconsider the vote. I have filed my motion in writing.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator, we...we plan to get back to that and I've spoken to the sponsor and we...we are aware of your desire to make that motion. Senator Weaver is recognized for a motion on Senate Bill 1558.

END OF REEL

REEL #6

SENATOR WEAVER:

Thank you, Mr. President. This is the first Conference Committee report on Senate Bill 1558, the Department of Energy and Natural Resources in the amount of seventy-five million eight hundred and five thousand nine hundred and sixty-one dollars. If there's any questions, I'll be happy to try to answer them.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1558. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 2, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1558 and the bill having received the required constitutional majority is declared passed. Senate Bill... 1574, Senator Schaffer. Senator Schaffer is recognized for a motion.

SENATOR SCHAFER:

Senate Bill 1574 is the appropriation for the Department of Public Aid, totaling three billion two hundred and six million dollars. It includes the COLA increase which is approximately, I believe, a five percent increase in the Grant line items for public aid recipients, totaling, I believe, some thirty-four eight...thirty-four eight. The Conference Committee also added some seven hundred thousand dollars for the resident's program which is appropriated to the Department of Public Health. We had inadvertently taken that out in the process...we had confused it with a scholarship program and thought it was a duplicate, but it, in fact, was a separate program. What else can I say? It's three billion dollars for the Department of Public Aid.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Marovitz.

SENATOR MAROVITZ:

Sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR MAROVITZ:

Senator Schaffer, is...is the forty-four million dollars of new...new money for the nursing home reimbursement, is that in this appropriation?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAPPER:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Would you also explain what one hundred thousand dollars for a women's strength headquarters in Peoria is?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAPPER:

It's a breakout of the domestic violent...violence money, specifically providing for a shelter in Peoria. I will let the Peoria Senator fill you in on the details. I'm not sure what's going on in Peoria.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. Very briefly, that was put in for the domestic violence shelter that was started by Women's Strength in Peoria. It has the strong and extreme interest of not only Representative Saltsman, who put that into the budget, as well as, I

believe, the wife of the publisher of the local paper has a strong interest in this. It's a good program...it's a good program, and we have...we have...what they've done is, they've gotten a home and...and actually have had the program up and running and...and need it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Well, I...I...I would like to know if...if the State funds other domestic violence programs...specific shelters across the State of Illinois. Perhaps how many, where they are? Is this a...a precedent that we're setting to give a hundred thousand dollars to one specific shelter, and what...what's that money going to be used for?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAPPER:

Well, Representative Saltsman, a member of your party, wanted to line item this particular hundred thousand dollars out of the million nine that's going to be appropriated Statewide. I don't think there was any doubt that there was going to be a facility in Peoria,...I mean, going to be financed through this line item. I'm sure the rest of the money will be used to support the existing facilities throughout the State, including in your area, and perhaps to expand the system where needed in other parts of the State. This was put on at the request of your colleagues and your party from the other Chamber. Since we recognized that the money was going to be appropriated and spent at least this much, in any event, we did not object.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The Illinois Information Service has requested permission to videotape the proceedings. Is there leave? Leave is granted. Senator Marovitz, your time has

nearly expired.

SENATOR MAROVITZ:

Okay. I just...glad that Senator Schaffer informed the membership about this worthy project.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. For the first time in the twelve years that I have been a member of this Body, I rise in strong opposition to the Department of Public Aid's operating budget request for the next fiscal year, and I base that opposition on the fact that there is a cost of living increase in there for public aid recipients. Now, let me quickly explain that, again, in the...previous eleven years that I have been here, every time a cost of living increase for public aid recipients has been proposed, I have not only been for it, I have not only been an advocate of it, I have been out-front in the Democratic Caucus; I have been out-front in my home district, and I have been out-front on the Floor of this Senate advocating that cost of living adjustment. I oppose...adamantly oppose the cost of living adjustment in this budget on the basis that elementary and secondary education have not been adequately funded. I don't think we ought to be giving COLAS to public aid recipients until we have put adequate dollars into elementary and secondary education. I have made requests, I have talked to the Governor's Office. In the appropriations meetings that have been going on for the last several days and in the education meetings that have been going on the last several days, I have made this point loud and clear. I have said all along, I will stand on this Floor in strong, vociferous opposition to the cost of living adjustments for public aid recipients until we find additional dollars for elementary and secondary education funding. You'll recall that the

elementary and secondary education funding for the formula left this Body at seventy million dollars in excess of what the House did. In the process that's been going on the last few days, the Governor's Office has very grudgingly come down to say, well, we can because of the...of the forgiveness legislation that Senator Rock passed, because of that, we will allow an additional twenty million dollars above the House's level. 'Taint enough. In the McCormick Place legislation that we passed yesterday evening with all of the goodies for downstate pork, with the McCormick Place and the World's Fair, there was still seventeen million dollars of what was labled residual; seventeen million dollars from the tax increase that was left over from that, and I told the Governor's Office yesterday evening, if you would put that seventeen million on top of the twenty for elementary and secondary education, I would back off of my opposition to COLA. I was told by the Governor's Office this afternoon that they don't think it is seventeen million, they think it's like ten or eleven million but that they would not put that on top of the twenty. I said, all right, I am going to stand in strong opposition to COLA. I do this obviously with a heavy heart because I think that public aid recipients do need a cost of living adjustment. I know that elementary and secondary school districts across this State are so inadequately funded that there is twenty or thirty some odd school districts that very well may not be able to open their doors this fall. What I am talking about, an additional seventeen million or in the case of the COLA here twenty-eight million I think it is, or twenty-one million net to the GRF, twenty-one million we would save the GRF if we did not give COLA. That is an insignificant amount of money in a total budget of nine hundred...pardon me, nine billion five hundred and some odd million in GRF, or a total budget of fifteen billion dollars that this State is passing. The seventeen million

that was left in the residual...from McCormick Place or the twenty-one million net to the GRF on the COLA is insignificant dollars in the total overall budget of this State, but it will mean a significant amount of assistance to elementary and secondary school districts in this State, and I'll go through the litany one more time. In the last eight years the State's portion of funding of elementary and secondary education has fallen from forty-nine percent to thirty-seven percent. That's not all the Governor's fault. It's not all our fault, but we've all been a party to the action in the final end. We passed a temporary tax increase last year which goes off today, that was a mistake. I said so at that time. I supported the Governor's action, as did Senator Philip and as did Senator Rock. We couldn't get the Governor's tax program passed. We accepted what the House had done which made the tax expire...the tax increase expire as of June 30th. We're now between that rock and hard spot once again when they tell us there are inadequate dollars. I maintain there are adequate dollars, part of them are here, part of them are here. We need to kill this piece of legislation, let it go down the tubes. As I look around at the empty seats of my colleagues on this Floor, I suspect that we may be able to get that done. I want to...and as you probably have noticed, I have been holding House Bill 2547, of which I am the sponsor, that makes the appropriation for the Common School Fund, because I want to have the Governor to have at least one more chance to come back and say, yes, I will put some more funding into elementary and secondary education; you have the bill, Senator Buzbee, we'll put it on there and we'll let it out. I would ask for you to join me in a big red light vote for Senate Bill 1574. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

The following Senators have sought recognition: Senators

Newhouse, Darrow, Berman and Dawson. Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I...I understand the tactical approach that my colleague is using with respect to elementary-secondary education, and I do respect that, and I hope that somehow it does work and that it works out so that we will get funding for that purpose. I...we spoke a little earlier and I mentioned to him that what we're really doing is pitting children against children, taking out of one pocket and putting into another, and I think that's a little unfortunate. Let me hasten to clarify one or two things. First of all, this is not a cost of living adjustment. It's an energy assistance grant and that energy assistance grant does permit for there to be some excess funds that will take the place of those funds expended for energy over these past years, and you know what the cost of energy have done. It means that those who have had to pay electric bills, those who have had to pay heating bills, those who have had to make a decision between paying bills for heat or eating, and those who have had to make decisions between paying electric light bills and eating, will now...now may be able to do both. That's what this is all about. Senator, I certainly want to support your...elementary-secondary education request. I think that is crucial, but it's a bit more crucial, it seems to me, that children be able to eat this winter and that children be able to keep warm this winter and that children be able to have light this winter. And for that reason, I stand in opposition to the...to the...presentation just made and in support of the bill. I would hope that the voice of my predecessor is heard, however, so that we'll get the dollars for children in both these categories, so that we won't have children fighting children. I stand in support of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I rise a little...with a little apprehension. It's perhaps not fashionable for a white downstater to get up and speak on behalf of the public aid budget, but I'd like to point out to my colleagues that the old stereotype of a public aid recipient as someone being black, pregnant, with three little children in barefoot, no longer holds true. Today our public aid recipients are those who are unemployed, the unemployed factory worker at Case, John Deere, Caterpillar, IH and our other factories, whose unemployment has run out and who has no other means of support other than public assistance. And I find it a little interesting that whenever we talk about public aid we also have to talk about education, and we always have to pit one against the other. Well, why don't we look at some of these other budgets, and when we talk about public aid, why don't we talk about the twenty-five thousand dollars to send the band to Phoenix, Arizona, or one million five hundred thousand dollars for a Southern Illinois Fair and Exposition Authority, or fifty thousand dollars for the Arts Council for Sullivan Little Theater? We can go on and on and on. There's no need to pit education and public aid. These are two items that we have to fund not for the traditional stereotypes but for our constituents in every district across the...State of Illinois. I feel that this budget, as Senator Newhouse has mentioned, is a good budget. It's for utility relief and we've heard over and over again that we must have money for utilities or they can't eat. It's either heat or eat. I would...solicit an Aye vote for this budget; hopefully, we don't have to pit education and public aid against one another in the future. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the motion to...to accept the Conference Committee report. I have worked with Senator Buzbee this year the same as previous years to try to maximize the amount of money that is given to education, and we have participated over the past several days to maximize the contribution towards education. It disturbs me greatly, and I have said this before to my friend, Senator Buzbee, that I do not wish to have a confrontation where it appears that the poor and the children are opposing each other for limited dollars, and I want the record to be very clear that that's not the case. It has been four years since public aid...recipients have received a cost of living increase, four years. In those same four years, ladies and gentlemen, although the amount...total amount of State aid to schools has not kept pace...has not kept pace with the total cost of education, children in our schools are different than people on public aid from the point of view of the State budget. There are two sources of money that fund our schools. One is State aid and the other is local tax revenues, and every year since...in the past four years and the previous period of time, but just in the past four years the foundation level, the combination of local taxes and State aid has caused the State foundation level to increase. The total amount of money behind children in our schools has increased every year. That's not the case with a person on public aid, and that is why I believe it is not fair to oppose a cost of living increase because we weren't able to get satisfactory levels of funding out of this year's State budget, another reason why I support the bill and oppose Senator Buzbee's position. We have increased the level of State aid of new money from the original twenty-seven million that the Governor had in his budget to seventy-five million dollars. The

last bit of that increase is predicated on the tax amnesty bill that Senator Rock sponsored. We have used and the Governor has signed off of that source of revenue on a projection of twenty million dollars, ladies and gentlemen, "some of the experts," and that's in quotes, say that the amnesty program may bring in no dollars. Some of the other experts say that it may bring in fifty million dollars in FY '85. I don't think anybody on this Floor can say with...specificity exactly how much that money is going to bring in. We have agreed upon a compromise figure of twenty million dollars from amnesty, and that's what's plugged in for additional State aid. I would suggest to you, ladies and gentlemen, very sincerely, that in November in the override Session, because I don't think there's anybody here that's going to say that the amount of seventy-five million dollars is adequate for funding, in November, we will have a better handle on the amount of adequate receipts from the amnesty program from the amount of the lottery increases that we are expecting and from the amount of the...of the revenue that the new carbonated beverage tax is about to...to bring to us, and I would solicit your support to join me, and I'm sure, Senator Buzbee, to see if there is adequate additional money to add onto our schools at that time. This is not the time. This is not the vehicle. This is not method. I do not want to educate our children on the backs of hungry public aid recipients. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I don't think there is anybody that doesn't want to support education, but at the same time, somebody ought to be living in the district such as mine where almost about, probably, thirty or forty percent of the people are on public aid. Let

me tell you something, no matter what your color is, when you're hungry you're hungry, and when these parents have these problems of feeding their kids and themselves, they want education for their kids, but it's pretty darn hard to send them school or something like that when the whole darn family is at home hungry and wondering where the next meal is going to come from, and I ask for support for this piece of legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kenneth Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, it's one of the shames of this country today and...that we have people who are in need like this. Now, the first thing that we should be doing, and I'm very supportive of education like everything, but our first thing must be that you feed the hungry, you clothe the naked, you take care of the indigent thing. I told the Governor here when he was here last time, road programs...roads and all these things are great, but how many of you sitting on this Floor have ever gone to bed hungry at night? Think, this could happen to you. It's...it's to say that you don't want to do these things for people today, and I know Senator Buzbee can't be sincere by saying that here, I want...to have everything...we don't have enough for these...and the school budget. I voted to...in Committee, Appropriation to increase that. I agree with him. It's too bad that we took this tax off, because I knew when we passed it that this wasn't long enough. I'm going to be very brief, but I want to tell you this, that, you know, as long you're doing okay yourself, it's easy to look around, and that's one of another shames that we have, because many people who have contributed, worked, out of jobs. Now that they have to resort to these things, but they should have the dignity like everyone else

and it could happen to any of us sitting here. I am strong support of 1574.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President and members of the Senate. I rise, also, to support this Conference Committee report, and to not only provide the funds for...public aid but certainly for this energy assistance program. The district I represent, I would say that more than two-thirds of my constituents that come in to see me when I'm away from Springfield and back in the district have a problem with employment, are poor and need help, and when they come to me in the wintertime and when they come to you, and you know you can't do anything for them and you have to look them in the eye and think that they have to go through that entire winter without any heat, without any food, and in many times just happy to have a hamburger or something of that nature, it would be a disgrace if we didn't pass this budget which we have done before. If we don't pass this on the first one, it's a disgrace.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I apologize for the second time. I seldom ever do this. I just want to point out in my closing comments that, again,...Senator Davidson, I have never asked that they put a timer on you, and you've been up I don't know how many times, and I'm just trying to close here in a very gentlemanly fashion. Well, I'll ask that you be timed the next time you stand up, Senator. I'm...I have been out-front time after time after time in favor of a cost of living adjustment for public aid recipients. I have gone into the Democratic Caucus and on this Floor and have advocated that we ought to do just that. This time we have

inadequately funded education, and we cannot afford to do this according to the Governor's Office and education additional funding also. Senator, I've forgotten who it was, but somebody said...maybe it was Senator Darrow said, this is...the traditional concept of it's black folks that get this. It is not a black-white issue. It never has been. I have never tried to put it into that context. It is an issue that simply we have to make some money somewhere available for education funding. I am willing to make that money available. I advocated the tax increase...or not the tax increase but taxing used car sales between individuals, that got nowhere. I advocated that we take the seventeen million dollars of residuals left over from the beveraged tax...beverage tax, that has...gotten nowhere. I am down now to the bottom line and that is the COLA. Senator Darrow, you pointed out some things. First of all, the Southern Illinois Fair Exposition Authority is not in the budget anywhere. It...that million and a half dollars was cut out. You also talked about high school bands going to festivals. That does not come out of General Revenue Fund, that comes out of a different fund. I'm talking about dollars that are available from the General Revenue Fund. Again, it is with a heavy heart that I do this. I simply think it's the only thing left available to us at this point, and I would ask once again for a No vote on Conference Committee Report No. 1 to Senate Bill 1574.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer to...further discussion? Senator Schaffer to close.

SENATOR SCHAFFER:

Mr. President, I'm going to attempt to close if that's what you had in mind. Senator Davidson was over here kidding me a couple of minutes ago because he and some of the senior members here will remember in my early and reckless youth

here, I used to get a great deal of pleasure out of killing this particular budget filled with righteous indignation. I would also say that I can sympathize with what Senator Buzbee is trying to do, and...and I also share his frustration with the lack of our combined efforts to generate some meaningful reform and additional dollars to education; of course, I'm a little more interested in reform before we put additional dollars in, something Senator Berman can appreciate. But I have to tell you that, Senator Buzbee, I think this is not a plan that we should pursue. I don't think it can be successful. I think we must pass this budget. I would respectfully remind my colleagues that there are in fact a significant number of chairs that appear to be empty, and that if we wish to bring this Session to an orderly conclusion, we have to in fact fund this department. I don't think there is any person sitting here that thinks that this bill is not going to eventually be passed and probably in very much the same form it is now. I think the responsible thing to do at this point is to pass this bill, go back to our districts and say, we got some more for education, not enough, and we still need reform, we did a little something for public aid, and in general we were responsible. I have no conflict. If it goes into the formula, I won't get it in my district, and if it goes to public aid, I won't get it in my district, but I do believe this is a rational way to conclude the Session, and I urge everyone, particularly those on this side of the aisle, to join with us in passing this Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is on the adoption of the first Conference Committee report to Senate Bill 1574. 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? Have all voted...who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays

are 14, 3 voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 1574. For what purpose does Senator Buzbee arise?

SENATOR BUZBEE:

I would ask a verification of the affirmative votes, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee has requested a verification of those who voted in the affirmative. Pursuant to our rules, will the members please be in their seats, and will the members please respond when the Secretary calls your name. Proceed, Mr. Secretary.

SECRETARY:

The...the following voted in the affirmative: Becker, Berman, Bloom, Carroll, Chew, Collins, D'Arco, Darrow, Davidson, Dawson, DeAngelis, Demuzio, Etheredge, Geo-Karis, Grotberg, Hall, Johns, Jones, Kelly, Kustra, Lechowicz, Luft, Marovitz, Netsch, Newhouse, Philip, Rigney, Sangmeister, Schaffer, Schuneman, Smith, Sommer, Vadalabene, Weaver, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee, do you question the presence of any member?

SENATOR BUZBEE:

Senator Chew.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...is Senator Chew on the Floor? Senator Chew is in the Well at the rear of the Chamber.

SENATOR BUZBEE:

Senator Collins.

PRESIDING OFFICER: (SENATOR BRUCE)

Is Senator Collins on the Floor? Senator Collins. Remove her name.

SENATOR BUZBEE:

Senator Degnan.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan on the Floor? He...is not recorded, Senator Buzbee.

SENATOR BUZBEE:

Oh, looks to me like from here that he is. Senator Johns.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns on the Floor? Senator Johns. Strike his name.

SENATOR BUZBEE:

I think that's sufficient.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. On a verified roll call, there are 34 Ayes and 14 Nays, 3 voting Present. For what purpose does Senator Schaffer seek recognition? Senator Schaffer asks that further consideration of Senate Bill...the...Conference Committee report on Senate Bill 1574 be postponed. It will be placed on the Order of Postponed Consideration. Senator Lenke, did you wish to proceed with Senate Bill 1933? I believe it has to do with the Ethnic Heritage Commission. Do you wish to request a second Conference Committee? All right. All right. If I might have the attention...Senator D'Arco, for what purpose do you arise?

SENATOR D'ARCO:

Well, I don't want to go out of the orderly order of business, but I had a concurrence motion, if...if we're at a lull, I would ask the Chair leave to go to that order of business.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the order of...Senator D'Arco, we're going to have to read some paper work in to catch up with you. Is there leave to go to the...Order of Messages of...from the House? Leave is granted. Messages from the

House.

SECRETARY:

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

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

Senate Joint Resolution 113.

Further...to inform the Senate that the House has Amendment No. 1 on Senate Joint Resolution...

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator D'Arco, we have now read in the Message. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I would move to concur with Amendment No. 1 to Senate Joint Resolution 113. It changes the reporting date from January 9th to September 30th to keep it in line with all the other commissions that will expire on that date.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is that the Senate concur with House Amendment No. 1 to Senate Joint Resolution 113. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

Just an explanation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Well, I...I thought I did explain it. This is the Joint Condominium Study Commission. It will be over with like all the other commissions in that eight category, but the resolution that extended the reporting date to the end of September had to be amended in the House in order to reflect the fact that it was the end of September, and I don't think it...it

was January and we moved it back to the end of September to make it consistent. That's what it does.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Because this requires an expenditure of money, it will require a roll call. The question is on the the concurrence with House Amendment No. 1 to Senate Joint Resolution 113. Those in favor vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 2, 2 voting Present. The Senate does concur with House Amendment No. 1 to Senate Joint Resolution 113 and the Secretary shall so inform the House. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, having voted on the prevailing side on Conference Report 2 on Senate Bill 1538, I would like to move to reconsider the vote by which it lost.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, if you'll just give us a moment here, I think we can do that expeditiously after everyone has a chance to get knowledge of what you're about to do. With leave of the Body, we will go to Senate...Senate Calendar Supplemental No. 3, Conference Committee reports. Senator Etheredge, are you ready on any kind of motion on House Bill 3090? All right. Senate Bill 1554, Senator Donahue. Senator Donahue is recognized for a motion.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that the Senate adopt the first Conference Committee report on Senate Bill 1554.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Donahue, there's been a request to explain the

content.

SENATOR DONAHUE:

Okay.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Donahue.

SENATOR DONAHUE:

Okay. Do you want each amendment? Is that what the request is? Or the House Amendments 1, 3, 4, 10, 11, 13, 15, 17, 19, 20, 23, 25, 26, 27, 28, 29, 31, 35 and 37 were adopted. Then there were some other additions. Considerable additions. I don't...you know, I can read through this. So can each member too.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. This is another matter that's been reviewed quite extensively by the Appropriations Committee and the Conference Committee, and I would support its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

...further discussion? Senator Keats.

SENATOR KEATS:

If this thing has been thoroughly reviewed, I wonder, we add a quarter of a million to the Arts Council, we got three hundred grand for various other...anyone just take a look at it a minute, I mean, if you want her to vote it out, fine, but take a look at what's in this thing. I mean, you know, if I kid with Senator Zito, you think you took that Arts Council down. No, you didn't, it's right here, the whole works.

PRESIDING OFFICER: (SENATOR BRUCE)

All right...Senator Barkhausen.

SENATOR BARKHAUSEN:

I don't mean to prolong the agony, but could I be

enlightened as to where the Ethnic Village in Chicago will be located in three hundred and seventy-five thousand, what's...is that part of our...tourism promotion package?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Donahue.

SENATOR DONAHUE:

Senator Carroll I think I will...

PRESIDING OFFICER: (SENATOR BRUCE)

All right...Senator Carroll.

SENATOR CARROLL:

Okay. Two things; one is the Solti Symphony tour was added. It has nothing to do with the operations or grants to the Arts Council. Second, this is a continuation and completion of a study on 63rd Street in Chicago which is that ethnic village. We started that program last year, that was a House amendment that was in this bill before that we had voted on when it was here before.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito...or Senator Barkhausen, had you concluded?

All right. Senator Zito.

SENATOR ZITO:

Well, thank you, Mr. President and members. To address Senator Keats' concern; obviously, no one was more concerned about the Arts Council than I was. This was an oversight that we had. My intent and the...the amendment that we adopted is still intact, 2.8 percent increase for the Arts Council in our accounting, and when we asked for the figures from last year's budget, we were short on some contractual services, I've gone through it with...with our staff and with the Arts Council, I think they're...this...the hundred and ninety-nine thousand is agreeable, that was not my intent to cut that money. We made a...we simply made an mistake. The 2.8 percent increase, I can assure you, is intact and we also by this Body passing a resolution to make the

Arts...Council accountable to each and every member has become lost. So I...I have...I sign off on this, I think it's a...a worthwhile and the 2.8 percent increase that we passed by amendment is sticking.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Donahue may close.

SENATOR DONAHUE:

Thank you. I would just vote for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1554. 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, the Ayes are 44, the Nays are 7, 1 voting Present. The Senate does concur with House...the Senate does adopt the first Conference Committee report to Senate Bill 1554 and the bill having received the required constitutional majority is declared passed. Senate Bill 1844, Senator Jones. All right. (Machine cutoff)...purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Same thing, Mr. Chairman...I mean, Mr. President and Ladies and Gentlemen of the Senate, having voted on the prevailing...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, I'm aware of your motion, but we've got to resolve the...the problems of the leaders and get them on the Floor and understand about we're doing and...we'll...we'll get to you, Senator. I've told the sponsor of the legislation that before we adjourn, we will handle his motion. (Machine cutoff)...from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate

the House of Representatives has refused to adopt the first Conference Committee report on Senate Bill 1933 and requests a second Committee of Conference, and the Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lenke moves to accede to the request of the House that a second Conference Committee be appointed. Senator Lenke.

SENATOR LEMKE:

You said...I wanted that just to sit there for awhile...

PRESIDING OFFICER: (SENATOR BRUCE)

No. No. No.

SENATOR LEMKE:

...and maybe they'll reconsider it, the first Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator, it was a request from the House on a second...their...their action has occurred, and so they're asking for a second Conference Committee report that... (machine cutoff)...purpose does Senator Schaffer arise?

SENATOR SCHAPPER;

Well, I note the presence in the gallery of a lady who is endured much and taken a great deal of punishment to allow a member of this Body to participate, and since I'm not sure, although I guess in a partisan sense I hope she'll have an opportunity to be in the gallery in the future, but I'm not totally sure she will. I would like to introduce Charlotte Bruce in the gallery.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in the gallery please rise. Thank you, Senator Schaffer. All right. Would some of the Pages come forward? We have the next supplemental Calendar. Would about all of you that can break loose...Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR GEO-KARIS:

I would like to introduce, Mr. President and Ladies and Gentlemen,...a very fine gentleman, most understanding husband of a lady Senator here who has been very patiently listening to all the deliberations, and is sitting in the Speaker...the President's Gallery, Alan Macdonald, the husband of Senator Virginia Macdonald.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guest please stand and be recognized by the Senate. Welcome to Springfield. With leave of the Body, we will go to Supplemental No. 4, House Bill 2649, Senator Sommer. Do you have a motion to make on that particular committee report? Senator Sommer is recognized for a motion. Senator Sommer.

SENATOR SOMMER:

Okay. Mr. President and members, I move that we do adopt the Conference Committee report on House Bill 2649. This contains the operations for the Capital Development Board and the new projects for the Department of Transportation. I would generally...and also the World's Fair money that we had voted last night. I would generally characterize this as a relatively clean measure as they go over the years. There are added projects in it as there always are but nothing, again, that's embarrassing, I think.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is on the adoption of the first Conference Committee report to House Bill 2649. Those in favor vote Aye. Opposed vote Nay. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Have all voted who wish? Take the

record. On that question, the Ayes are 42, the Nays are 7, 1 voting Present. The Senate does adopt the first Conference Committee report to House Bill 2649 and the bill having received the required constitutional majority is declared passed. House Bill 2837, Senator Rock...Senator Rock is recognized for a motion.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would move that the Senate adopt the first Conference Committee report on House Bill 2837. This is the infrastructure bill, and having conferred today, we have made a couple of clarifications. You'll recall, the Senate amended the bill with three amendments in an attempt to restrict the eligibility to the program and to reduce the...the size of the program at least in its inception. We have changed and tightened the definition of infrastructure. We have established a review committee to be appointed by the Governor as opposed to having a local unit of government attempt to issue or go to market and be unable to market or unable to issue. We have established a review committee in order to get into the program, and I think that'll be a better procedure. We have increased the authorization...the initial authorization to ninety million and we have suggested legislatively that the participation of units of local government is limited to units of local government under twenty-five thousand, that obviously means nonhome rule units. In addition, we last year passed under the Speaker's sponsorship a Venture Capital Fund. The department...the authority has indicated that there were some technical difficulties, so it also contains...the Conference Committee report contains some clarification with respect to that already passed legislation. I know of no objection. I think this is a Conference Committee report of which we can all be proud, and I would urge unanimous approval.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is on the adoption of the first Conference Committee report to House Bill 2837. Those in favor vote Aye. Those opposed vote Nay. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to House Bill 2837. The bill having having received the required constitutional majority is declared passed. Senate Bill 1612, Senator Philip. Is Senator Philip on the Floor? Hold. For what purpose does Senator Rock rise?

SENATOR ROCK:

Thank you...I understand there are a couple of more Conference Committee reports, so we will have Supplemental 5; in the meantime, I would ask leave of this Body to revert to the Order of Consideration Postponed to consider Senate Bill 1574. 1574 is on the back side of Supplemental 2. That is correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Yes. All right. Is there leave to go...return to Supplemental Calendar No. 2 for consideration of Senate Bill 1574 which is presently on the Order of Postponed Consideration from that Calendar? Leave is granted. Senator Schaffer is recognized for a motion.

SENATOR SCHAPPER:

Well, I think...this is the budget for the Department of Public Aid. It was debated at great length. I believe it's the single, largest obstacle to our orderly completion of our business, and would appreciate an affirmative roll call with thirty-six votes. Thirty-six votes present sitting in their chairs.

PRESIDING OFFICER: (SENATOR BRUCE)

Okay. Senator...discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I rise in support of this Conference Committee report, and I probably over the years have had no greater respect for any legislator or seen one work harder than Senator Buzbee. The fact of the matter is, we made a valiant effort. It was a question really of setting one's priorities. I have spoken with the Chief Executive less than an hour ago in an attempt to ameliorate the situation. I... I think, frankly, we have done in...in so far as the School Aid Formula, the Distributive Aid Formula literally as much as Senators Buzbee and Berman and Carroll and all of you could put together, and now is the moment of truth. The fact of the matter is, we need thirty-six affirmative votes on this Conference Committee, and I would urge your full support.

PRESIDING OFFICER: {SENATOR BRUCE}

Further discussion? The question is, shall the Senate adopt the first Conference Committee report to Senate Bill 1574. 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, the Ayes are 38, the Nays are 11, 2 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 1574 and the bill having received the required constitutional majority is declared passed. Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

Mr. President, I would request at this time that you go to Supplemental Calendar No. 2 to House Bill 2547, of which I am the sponsor.

PRESIDING OFFICER: {SENATOR BRUCE}

...Senator Rock, did you wish to make any motion on that last bill? All right. Is there leave to go to the Order of Conference Committee Report Supplemental 2 to pick up House

Bill 2547? Leave is granted. Senator Buzbee is recognized for a motion.

SENATOR BUZBEE:

Thank you, Mr. President. Senator Schaffer made a...a statement earlier that in his young and youthful days here he...he used to do some things that he doesn't do anymore. Senator Schaffer and I came into this Body at the same time, and I think I can share in that learning experience...there comes a time in every confrontation, in particular in every legislative confrontation, when one either is declared the winner or the loser, and it seems to me that when one...when it's obvious that one is the loser, that the most graceful thing you can do is to admit defeat and go on about the business that you're here to do. Admitting defeat on this is a bitter pill for me. I have lost many battles over the years in this Body, I've also won several. I would like to have gone out this Session...on a winning note, but since I can't, I would now ask for...I would now ask for an affirmative vote on House Bill 2547 which is the ordinary and contingent expenses...or, pardon me, the distributive formula money on the Common School Aid Fund for the Department of Education.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I just want to make one correction in a previous speaker's comments. Senator Buzbee, it is inaccurate for you to describe yourself as the loser on a battle. I think you made your point and made it well. The commitment of the State over the past several years has not been adequate for education. The fact that we have moved from twenty-seven million to seventy-five million is a victory. You are entitled to claim that victory, because you are in the forefront of that fight, and I'm pleased to lend my support to your motion to accept.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Don't think you're a loser no matter what happens, because this is...this is...LeRoy said this yesterday, but we'll do it again. Who if he wins, and I won't do the whole thing, I'll do the...no wait, the end...the end is good. The end is good.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, there are a lot of us who think the end is good.

SENATOR D'ARCO:

Wait...what...okay, here it is. So that his place shall never be with those cold and timid souls who know neither victory nor defeat. Kenny, we love you very much, really.

PRESIDING OFFICER: (SENATOR BRUCE)

All right...further discussion? The question is on the adoption of the first Conference Committee report on House Bill 2547. Those in favor vote Aye. Opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to House Bill 2547. The bill having received the required constitutional majority is declared passed. (Machine cutoff)...Philip. On the fourth supplemental, there was Senate Bill 1612 which dealt with the DuPage County Civic Center Act. Hold. The fifth supplemental Calendar is being printed, and we will be down momentarily. (Machine cutoff)...Rock, for what purpose do you seek recognition?

SENATOR ROCK:

Having conferred with my experts and my handlers here, I'm...I'm...I think there are only three matters left that the Senate will have to address itself to. The fourth being the adjournment resolution and the fifth being the closing

prayer by Senator Hall, which so...Senator Becker so rightly called for earlier. My suggestion is that this might be a good time while we're waiting for those three to appear, and one has to come over from the House, it's a concurrence motion coming from the House, this might be a good time for Senator Geo-Karis' motion.

PRESIDING OFFICER: (SENATOR BRUCE)

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

SENATOR GEO-KARIS:

Oh, Mr. President and Ladies and Gentlemen of the Senate, having voted on the prevailing side on...second conference report to Senate Bill 1538 which lost, I move to reconsider the vote by which it lost.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to reconsider the vote by which the second Conference Committee report on Senate Bill 1538 was lost. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it and the vote is reconsidered. Senator Etheredge is recognized for a motion. Senator Etheredge, for a motion. The vote has been reconsidered.

SENATOR ETHEREDGE:

Yes. All right. I move to...to accept the Conference Committee report as submitted on Senate Bill 1538.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is to accept. Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I found that this conference...the second conference report eliminated the right...taxation was attached to the first conference report and the original bill, and I move...I certainly support the bill...the conference report...the second conference report, and I urge its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

Senator, is...is it your intent to ask the Governor to veto the bill down to twenty-five thousand dollar maximum figure before on the emergency purchases for the sanitary districts?

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Etheredge.

SENATOR ETHEREDGE:

Yes it is, Senator. It has been called...brought to my attention that there is...that if we were to do that...and it is my plan to request the Governor to amend that down to twenty-five thousand, and if we did that, then the provisions as they would apply to the downstate districts would track those provisions which now pertain to the Chicago Metropolitan Sanitary District.

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Lechowicz, further...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. They always say politics is the art of compromise, that was the objection that I had in this Conference Committee report. Based upon that understanding of what Senator Etheredge just pointed out that the...he'll ask the Governor to amendatorily veto it to twenty-five thousand to make it compatible with the other sanitary districts in this State, I will support Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is on the adoption of

second Conference Committee report to Senate Bill 1538. Those in favor vote Aye. Opposed vote Nay. The voting is open. (Machine cutoff)...all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report to Senate Bill 1538...the bill having received the required constitutional majority is declared passed. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

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

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR PHILIP:

I understand the lovely wife of Senator Rock is here, Sheila, and if she would please rise and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR BRUCE)

Certainly happy to have her with us today. Leave to go to the Order of Message from the House? Message from the House.

SECRETARY:

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

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

House Joint Resolution 180.

{Secretary reads HJR 180}

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

I would like to yield to the most successful member, his batting average is 17 and 0 this semester. I'll yield to Senator Vadalabene for the suspension of the rules and the

immediate consideration and adoption of the adjournment resolution. Sam, you've done good.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene moves for the suspension of rules and the immediate consideration and adoption of...House Joint Resolution 180. On the motion to suspend, those in favor say Aye. Opposed Nay. The Ayes have it. Rules are suspended. On the motion to adopt, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. Senator Vadalabene keeps his perfect record...Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Sam, not quite.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Bev, this is Sam. You've just ruined my reputation.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President, just on a point of personal privilege. I would like to commend the leadership of the Senate. In the six years I have been here, I have never seen a system so orderly, but nor have seen one Chamber do so well in fighting some things that they strongly opposed. But I also want to especially commend the Appropriations Committees who...I don't know what the final count is, but we have got to be darn close to what the revenue projections were; and I also would like to commend the Economic and Fiscal Commission, because we, for the first time that I have been here, almost agree with the Bureau of the Budget...what the revenues are...and...so I just think...I personally want to say it's been an extremely pleasant, pleasant Session, and I commend everybody who participated in.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen, on a point of personal privilege. I would like to commend our secretaries who work very, very hard for us, and our Pages, both...male and female Pages, all of them worked very, very hard, and I think we owe them a good round of applause, 'cause they really have knocked themselves out for us.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, and also to that point, I think that the gentlemen down in front, the Secretary of the Senate and the Assistant Secretary and his staff upstairs, have done a magnificent job also, believe me.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Certainly have. Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. My point of personal privilege is to Sheila Rock, and my question, Sheila Rock, is how come you who live with him stay so young and we who work with him get so old?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Just to follow that up, Mr. Grotberg. You ain't fortunate to get what Mr. Rock gets.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...that's it. No, that's it. Can we have some Pages come down please, we're ready to...distribute another Calendar. (Machine cutoff)...Dawson, for what purpose do you seek recognition?

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I didn't say it to everyone before, but I'd like to thank everybody for all the cards and different things that they sent me when I was sick, 'cause I didn't know how long I would take and make it this year, if I'd be able to stay down here, I didn't want to say anything then, but I'd like to thank each one of the members who thought of me and sent the cards and everything, and God bless each and every one of you. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

On...Senator Carroll. Senator Carroll on the fifth supplemental Calendar is Senate Bill 1546 and, Senator Carroll, the...the Secretary also informs me that 1609 is back with five House amendments that you may want to concur in, so you may want to have the staff alerted that we have now received the Message back. On the fifth supplemental Calendar is Senate Bill 1546, and if Bill Holland will come to the Podium. Senator Carroll is recognized for a motion and...can we break up the conference, ladies and gentlemen, right in front of Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the appropriations of awards to the Office of the...to the Court of Claims. These are the awards that have in fact been signed or signed off on by the Court of Claims. Others that may have been in it at various versions are no longer there, and I would urge adoption of Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. The motion is to adopt the...second Conference Committee report on Senate Bill 1546. Discussion of that motion? Discussion? The question is, shall the Senate adopt the first...the second Conference Committee report on Senate Bill 1546. Those in favor say...those in favor vote

Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48...49, 1 voting No, none voting Present. The Senate does adopt the second Conference Committee report to Senate Bill 1546 and the bill having received the required constitutional majority is declared passed. For what purpose does Senator Grotberg arise?

SENATOR GROTBORG:

On a point of personal privilege, Mr. President...in the gallery to my left and in the back of the room are three more lovely brides, the very patient brides of Senators who are growing older and brides are growing younger, but I believe we have Joanne Maitland, Shirley Davidson and Dorothy Schuneman somewhere in the gallery. Am I correct, ladies?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would you please rise, be recognized.

SENATOR GROTBORG:

They are to be commended.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR GEO-KARIS:

My first seatmate is leaving for Congress, and...when we sat together in the House, and he's....I certainly want to wish him well in his election in November. That's Senator Grotberg, and I might tell John that once he wins and gets into Congress, he's not going to miss me too much, because we already have a Greek-American Congresswoman there by the name of Olympia Snole. So you see, John, you won't be able to get away from me too much, but I certainly wish you God speed,

good health and success.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Grothberg.

SENATOR GROTHBERG:

Well, Senator Geo-Karis, I remember our House days when we sat side by side. I worked and you ate, and somehow it all worked out, Adeline, and you think the Vadalabene-Powell love affair is something new, those old House members, you realize that it all started with John and Adeline. And the singing routine that took me eight years in the Senate to get her to stop singing so that I could sing on key, and, Adeline, you have been just a jewel through all of these years. You have commended me for going to the Senate...to...to Congress, I'm sure Senator Bruce for going to Congress, all of that is premature, but your love, attention and each and every one of you in this room, we've still got November, we'll find out in the Fall Session who goes where, but you're all just a great bunch of guys and I presume my legislative career in Illinois Senate may be winding down, but thank you, each and every one of you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Messages from the House.

END OF REEL

REEL #7

SECRETARY:

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

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

House Joint Resolution 178, and it's congratulating all the tennis players in that tournament that you had just recently.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will John McEnroe move for the adoption? Senator Berman moves the adoption of House Resolution 178...House Joint Resolution 178. All those in favor indicate by saying Aye. Those opposed. The Ayes carry it. The motion carries and the House Joint Resolution 178 is adopted.

SECRETARY:

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

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

House Joint Resolution 176 and Senator Etheredge will handle this resolution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes. Mr. President and Ladies and Gentlemen of the Senate, I would move to suspend the rules for the immediate consideration of this resolution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Etheredge moves to suspend the rules for immediate consideration of House Joint Resolution 176. Is leave granted? Leave is granted. On the

motion, Senator Etheredge.

SENATOR ETHEREDGE:

Yes. This resolution calls for the Lottery Control Board to make a report to the General Assembly by the 1st of April next year on any use of a video display apparatus of...for lottery ticket dispensing use. I would move...ask for your support.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there any discussion? Senator Etheredge moves for immediate consideration and adoption of House Joint Resolution 176. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries. Senate...House Joint Resolution 176 is adopted. Resolutions.

SECRETARY:

Senate Resolution 132 offered by Senator Bruce.

{Secretary reads SR 132}

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This is the Circuit Clerks' Reorganization Committee. They are...have not fully discussed the problem. This extends their reporting date till September 30th of this year. Move its...move for the suspension of rules and immediate consideration and adoption of Senate Joint...the Senate joint resolution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is leave granted? Leave is granted. Senator Bruce moves for the immediate consideration and adoption of Senate Joint Resolution 132. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The resolution is adopted. Messages from the House.

SECRETARY:

Senator Sangmeister.

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

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

House Joint Resolution 171. Senator Sangmeister will handle this resolution.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. This is a House joint resolution that just came over from the House. What it does is corrects the toll...the Illinois State Toll Highway Authority to consider extending the tollway concept from I-55 to I-80. This is something that Senator Philip has agreed with, I think; and therefore, my motion will be to suspend the rules for the immediate consideration of House Joint Resolution 171, and to that, I would request that Senator Philip okay that this resolution may be go forward.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Will we break up these conferences, I...this is a resolution that concerns all of us. Senators. Senator Sangmeister has requested permission to suspend the rules so that House Joint Resolution 171 can be heard. Is leave granted? Leave is granted. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise and support Senator Sangmeister in House...Senate Joint Resolution 171. It would merely extend, hopefully, FAP 431 from 55 down to I-80, I believe. I'm certainly for that. I think it's a matter of time, hopefully, we will get our extension concluded in the next two, three, four years. If I'm still around, Senator Sangmeister, I will be

here supporting you, I will assure you that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Sangmeister moves the adoption...Senator Sangmeister moves the adoption of House Joint Resolution 171. This is a resolution that calls for the expenditure of money and a roll call is needed. So, those in favor of adopting House Joint Resolution 171 will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas are 40, the Nays are 1, none voting Present. House Joint Resolution 171 having received the constitutional majority is declared passed.

PRESIDENT:

Messages from the House.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate the House of Representatives has concurred with the Senate in the passage of a bill with the following title:

Senate Bill 1609 together with House Amendments 2, 3, 4, 5, 6 and 7.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I will move that we do concur with, I believe, it's House Amendments 2, 3, 4, 5, 6 and 7 to Senate Bill 1609. This initially had been the cost containment measure and now contains various amounts in public aid and other areas that have been agreed to by the conferees on the various Conference Committees that have been absent in different drafts but it...by error, and I would move we do concur in those House amendments on...and then, after, Mr...Mr. President, I would then make that resolution.

PRESIDENT:

All right.

SENATOR CARROLL:

And answer questions.

PRESIDENT:

Discussion? Senator Carroll has moved that the Senate concur in House Amendments 2, 3, 4, 5, 6 and 7 to Senate Bill 1609. Discussion? Senator Schaffer.

SENATOR SCHAPFER:

I just want to join Senator Carroll in rising in support in this...of this Conference Committee. There's a variety of items here, the largest of which is the restoration of some staff which was cut in the Department of Public Aid that we have decided to restore at least in part. This bill has become a vehicle for the several cleanup items that we need to get the budget in shape for the Governor.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate concur in House Amendments 2, 3, 4, 5, 6 and 7 to Senate Bill 1609. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, no Nays, 2 voting Present. The Senate does concur in House Amendments 2, 3, 4, 5, 6 and 7 to Senate Bill 1609 and the bill having received the required constitutional majority is declared passed. May I ask the members to be in their seats for a moment. We have contacted the airport, those of you who are flying immediately back, we've told them about twenty minutes till eight. I wasn't far off an hour ago. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd...for a resolution in effect as required by our

Constitution, but first, I want to thank the leadership on both sides and the appropriations people, both staffs and members on both sides for their unique cooperation throughout the year. We are mandated by the Constitution to present to the Governor a budget that is balanced within available resources. We have once again, this year, just by this last bill...the last appropriations bill done so. It appears as if we will be within all available resources as every bill has gone to the desk of the Governor. The Governor through Dr. Bob has indicated that the revenue projections of general revenue are nine billion seven hundred fifty-fifth...fifty-five million plus whatever monies will come in as a result of the...amnesty program, plus whatever monies will come in as a result of any increase in the lottery, plus the addition of ninety-two million dollars in the bank as of midnight, June 30. That ninety-two million was over the budget book of what was projected of a hundred and twenty-five million, it ended up at two hundred and seventeen million, some ninety-two million over. We have, in fact, appropriated general revenue funds, once again, all bills counted within available resources of revenue projections and cash in the bank and still leave a surplus over and above the hundred and twenty-five million requested by the budget book as a...bank balance. I commend everyone for following the Constitution in a tough time. Thank you, Mr. President.

PRESIDENT:

Thank you, Senator Carroll. On behalf of Senator Philip, and he can certainly speak for himself, I want to thank all of you, the members, and certainly the extremely competent staff gathered in the back. This Session of the 83rd General Assembly was very successful for the Illinois Senate. We did not always agree on both sides of the aisle, but I believe the people were well served, and you're to be congratulated. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I first of all, want to compliment Senator Rock and his staff for their fairness, their objectivity in how well this Body has been run this past Session. As you know, when this Session started out, it started out as a budgetary Session with not too many important things before us. When you have seen what we have done, and I'll just mention a few, and most of the conclusions started in this legislative Body. If you'd look at the Continental Bank, Compensation Review Board, commission reform, World's Fair, Tourism, McCormick Place, FAP 431, hospital containment, nursing home reform, most of those subjects were addressed here with common sense and judgment and passed over to the other Body. You know, I'm going to compliment my leadership who have worked long and hard and have given me great cooperation, I'm going to miss John Grotberg. Did you see him smoke that ten dollar cigar today? Hell, he already thinks he's in Congress. And I'm going to tell you, John, don't send us anymore of these emission laws and some of these...other garbage that you continually send down to the poor, little, broken-down General Assemblies and shove right down our throat with the threat of taking away Federal Funds. I hope that you'll be a little more sensitive than the people that serve us in Washington now. The Governor has asked me to invite everybody over to the Mansion for free love and nickel beer, oh, that...that almost slipped by. It's been a real pleasure for me, look forward to a nice, peaceful, quite summer, and then give them hell right around election time. Thank you.

PRESIDENT:

All right. Will the...will the members be in their seats. Senator Hall. Senator Hall for closing prayer. Will the members please rise. Will our guests in the gallery please rise.

SENATOR HALL:

(Closing prayer given by Senator Hall)

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Mr. President, pursuant to the adjournment resolution, I move we adjourn.

PRESIDENT:

You've heard the motion. All in favor indicate by saying Aye. All opposed. The Ayes have it. Session stands adjourned until November 14th. Congratulations to you all.