

83RD GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 29, 1984

PRESIDING OFFICER: (SENATOR DEMUZIO)

The hour of nine o'clock having arrived, the Senate will come to order. The members will be at their desks. Our guests in the gallery will please rise. The invocation today will be by the Reverend Stephen Pullman, Saint Thomas Catholic Church of Decatur, Illinois. Father Pullman.

REVEREND STEPHEN PULLMAN:

(Prayer given by Reverend Pullman)

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...you, Father. Reading of the Journal. Senator Kelly.

SENATOR KELLY:

Mr. President, I move that the reading and approval of the Journals of Tuesday, November 27th and Wednesday, November 28th, in the year 1984, be postponed pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. Committee reports.

SECRETARY:

Senator Vadalabene, chairman of the Committee on Executive Appointments, Veterans Affairs, Administration, to which was referred the Secretary of State's Message of November the 16th, 1984, reported the same back with the recommendation that the Senate advise and consent to the following appointment.

Senator Vadalabene, chairman of the Committee on Executive Appointments, Veterans Affairs, Administration, to which was referred the Governor's Message of November the 14th, 1984, reported the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Channel 5 has sought leave to...to record

the proceeding. Is leave granted? Leave is granted. Channel 20 also makes the same request. Is leave granted? Leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Senate resolve itself into Executive Session for the purpose of acting on appointments set forth in the Governor's Message of November 14th, 1984, and the Secretary of State's Message of November 16th, 1984.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Senate is resolved into the Executive Session. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. With respect to the Secretary of State's Message of November 16th, 1984, I will read the salaried appointment to which the Committee on Executive Appointments, Veterans Affairs and Administration recommends that the Senate do advise and consent.

To be director of personnel for a term expiring December 31, 1986, William A. Rolando of Jerseyville.

And, Mr. President, having read the salaried appointment, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, does the Senate advise and consent to the nominations just made by Senator Vadalabene. 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 46, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote the Senate does advise and consent to the nomina-

tions just made. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Mr. President, I wanted to know exactly what we're voting on, and it's really after the fact. I'm asking that Mr. Kirkpatrick be held in confirmation for...from today's agenda. I went to the chairman, he was in the process of reading some of the results from the Executive Committee yesterday and out...out of courtesy, I would ask that he would hold Mr. Kirkpatrick until the December 11th meeting.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes,...Senator Marovitz is the sponsor of Tom Kirkpatrick and I would suggest that Senator Marovitz answer questions...to Senator Lechowicz why.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

While Senator Marovitz and Senator Lechowicz are discussing the matter, I am going to acquiesce to the request of Senator Lechowicz and have him held for the December meeting...December 12th.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President...if I remember correctly, I was in that committee hearing. He had a full, honest, complete hearing. That committee has acted on him and if I remember correctly, it was unanimous. Now why...why are we fiddle dinking around? It's already done. Up or down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

In all the time I've been in the Senate I don't think we ever...we always...if a fellow Senator wanted somebody held, I always thought we went along with that. What's the difference if we approve him today or if we wait till the 11th to do it? Just because of the committee had complete agreement and unanimously on the...on a person or on a bill doesn't mean that piece of legislation is going to pass the General Assembly or even this Body. I mean, I have seen committees agree on everything and all of a sudden the committee...members change when it gets to the Floor; but I think if Senator Lechowicz has a request of that individual, it's just like I would honor a request of you, Senator Philip, or anybody else in this Body, even if I don't agree with it, I would honor that request. If we're going to break that tradition in the Senate, then...then it's senseless to have...agreement on...and we just ought to sit down and have the whole Body review all these appointments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Philip.

SENATOR PHILIP:

You know, if there's anybody for tradition around here it's Senator Philip. The tradition has been, and I guess our memories aren't too good, that we've held them in committee. That's what the tradition has been. It's if the members had a problem with anybody the Governor appoints, we've held...them in that committee. We've never held them after the committee has acted and, quite frankly, they've acted in good conscience.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

If my memory serves me right, no matter how long Senator Lechowicz wants to hold Tom Kirkpatrick, he has been voted out of committee and if we don't do anything at all, he will

come under the sixty-day rule and he will automatically be confirmed. There's no way that Senator Lechowicz, in my opinion, can stop his confirmation. The only thing it will do, it'll take a little longer time. Now whatever you want to do here this morning is fine with me, but Tom Kirkpatrick will be confirmed because he has been voted out of the committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I called for Mr. Kirkpatrick yesterday. I called him this morning at nine o'clock. They told me he wouldn't be back until after ten-thirty or so. As of right now, I still haven't heard from him. There are a couple of matters I'd like to discuss with him, and I don't believe that this is a...that this matter is not out of the ordinary. I think it's following the legislative process; if necessary, I'll move that the gentleman nomination be put back into committee and...but I don't want to do that, and I believe I discussed it with Senator Marovitz and there...I'm not the only member that has some questions of this gentleman, and I'd like this matter held.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yeah, I might also call the attention of Senator Lechowicz that this term expires January 21, 1985. We're only talking about a month and a half away and then his term expires, and I believe that in that month and a half you probably could have a lot of discussions with Senator Lechowicz and...and Mr. Fitzgerald...Fitzpatrick.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

All of them expire January 21st, 1985, so we can discuss that with everybody, but my point is, I...would like to have this matter held today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

So, you're...you're...all right, he will be held in committee until...that we...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...he just won't be heard today.

SENATOR VADALABENE:

I have assurances, Senator Lechowicz, that on the December 12th hearing that you'll have time then to get him out of...on the Floor of the Senate. Can you wait another week, ten days?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We are such nice people on this other side, as long as the record indicates that he is out of committee and he will be held wherever we...wherever we're holding him, I'm not sure where that is, and that we will consider his appointment at our next meeting of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Well, I was going to suggest to the Body that there's a long list here and perhaps each of us could adopt a hostage and we could take the hostage home with us and, you know, we could make this adopt a hostage week. I...I wish we'd get on to the next order of business. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Vadalabene, are you read to proceed?

Senator Vadalabene.

SENATOR VADALABENE:

...I would like to continue and on the December 12th...when it comes for confirmation on the Floor of the Senate, I believe Senator Lechowicz will have his problems resolved by then.

PRESIDING OFFICER: (SENATOR DEHUZIO)

All right, Senator Vadalabene. Senator Vadalabene.

SENATOR VADALABENE:

Mr. President, with respect to the Governor's Message of November 14th, 1984, I will read the salaried appointments to which the Committee on Executive Appointments, Veterans Affairs and Administration recommends the Senate do advise and consent.

To be director of Conservation for a term expiring January 21, 1985, Michael B. Witte of Tallula.

To be director of Energy and Natural...Resources for a term expiring January 21, 1985, Don Etchison of...New Berlin.

To be director of Central Managements Services for a term expiring January 21, 1985, Richard McClure of Springfield.

To be secretary of Transportation for a term expiring January 21, 1985, Gregory Baise of Springfield.

To be director of Rehabilitation Services for a term expiring January, 21, 1985, Susan S. Suter of Springfield.

To be public members of the Illinois Industrial Commission for terms expiring January 21, 1985, Dennis Douglas of Edwardsville and Ruth White of Springfield.

To be a member of the Civil Service Commission for a term expiring March 1, 1987, Peter P. Zelcoff of Lombard.

And, Mr. President, having read the salaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objection to a specific appointment. Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...WCIA has requested permission to videotone the proceedings. Is leave granted? Leave is granted. All right, the question is, does the Senate advise and consent to the nominations just made. 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. A majority of Senators elected concurring by record vote the Senate does advise and consent to the nominations just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. With respect to the Governor's Message of November 14th, 1984, I will read the salaried appointment to which the Committee on Executive Appointments, Veteran Affairs and Administration recommends that the Senate do advise and consent.

To be director of the Mental Health and Developmental Disabilities for a term expiring January 21, 1985, Michael Belletire of Springfield.

...Mr. President, having read the salaried appointment, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Senator Savickas. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 1, none voting Present. A majority of Senators elected concurring by record vote the Senate does advise and consent to the nominations just made. Senator Vadalabene.

SENATOR VADALABENE:



Yes, thank you, Mr. President and members of the Senate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke. Senator Vadalabene.

SENATOR VADALABENE:

Mr. President and members of the Senate, with respect to the Governor's Message of November 14, 1984, I will read the unsalaried appointments to which the Committee on Executive Appointments, Veteran Affairs and Administration recommends that the Senate do advise and consent.

To be a member of the Board of Aeronautical Advisors for a term expiring January 21, 1985, Joseph E. Lyon of Wayne.

To be members of the Board of Agricultural Advisors for a term expiring January 21, 1985, Enid Schlipf of Gridley; Wayne Heberer of Belleville; Russell Stauffer of Springfield; Kenneth Bush of Milan; Duane Smith of Allendale.

To be members of the Agricultural Export Advisory Committee for a term expiring January 21, 1985, James F. Hughes of Palos Heights and Leslie M. Shearer of Barrington.

To be chairman of the Capital Development Board for a term expiring January 19, 1987, George B. Peters of Aurora.

To be members of the Capital Development Board for a term expiring January 18, 1988, Perry J. Snyderman of Highland Park and Robert B. Oxtoby of Springfield.

To be members of the Children and Family Services Advisory Council for a term expiring January 19, 1987, Mildred A. Meyer of Springfield; Reverend William Causer of Mt. Vernon; June E. Foster of Urbana; John P. Madden of Chicago; Father Peter Mascari of Sherman; Karyl W. Thorsen of Rockford.

To be members of the Commission for Economic Development for a term expiring June 30, 1985, Joe Silverberg of Glenview; Don. E. Hinderliter of Rochelle; David L. Diana of Urbana and Robert H. Waddell of Illiopolis.

And to be members of the Employee Owned Enterprise Advisory Council for a term expiring November 7, 1986, Jared

Kaplan of Chicago.

To be members of the Employee Owned Enterprise Advisory Council for a term expiring November 7, 1988, Elmer Walton of Decatur and Wayne Harvey of Peoria.

And to be a member of the Illinois Export Development Authority for a term expiring January 16, 1985, Sheldon Gray of Chicago.

To be members of the Illinois Export Development Authority for a term expiring January 15, 1986, Scott K. Heitman of Northbrook and Jung Y. Lowe of Glencoe.

To be members of the Illinois Export Development Authority for a term expiring January 21, 1987, Richard W. Shealey of Chicago; Irwin H. Diamond of Riverwoods and Norman M. Gold of Chicago.

To be members of the Illinois Farm Development Authority for a term expiring January 18, 1988, Harold E. Rice of DuQuoin and Roy A. Safanda of Geneva.

And to be members of the Health Care Cost Containment Council for a term expiring September 5, 1987, Lawrence Barry of Springfield; William Prayser of Broadview; Charles Goulet of Geneva; Larry Lawler of Decatur; Jouanna Lund of Rockford; Edward Hazur of Chicago; Kenneth Morrissey of Naperville; Barry Schneider of Barrington; Charles Van Vorst of...Champaign and Raymond Werntz of Chicago.

And to be a member of the Hospital Services Procurement Advisory Board for a term expiring January 1, 1986, Irving Harris of Chicago.

And to a member of the Hospital Service Procurement Advisory Board for a term expiring January 1, 1987, John J. Wolfe of Hazel Crest.

And to be a member of the Hospital Services Procurement Advisory Board for a term expiring January 1, 1988, Dr. Audley F. Connor, Jr. of Chicago.

And to be a member of the Hospital Services Procurement

Advisory Board for a term expiring January 1, 1989, Sister Barbara Jean Donovan of Alton.

And to be a member of the Hospital Services Procurement Advisory Board for a term expiring January 1, 1990, Dr. Alfred J. Clementi of Chicago.

And to be a member of the Kaskaskia Regional Port District Board for a term expiring June 30, 1987, Elmer C. Weber of Red Bud.

And to be members of the Advisory Board of...Livestock Commissioners for a term expiring January 21, 1985, Art Barnard, Jr. of Wayne City and Joseph Cochonour of Casey.

And to be a member of the Lottery Control Board for a term expiring July 1, 1987, Robert F. Moore of Mt. Prospect.

And to be members of the State Mandates Board of Appeals for a term expiring June 30, 1985, Edward E. Bluthardt of Schiller Park; Gloria D. Bryant of East Chicago Heights; Thomas A. Sequens of Brookfield; Harvey Schwartz of Skokie and Dr. Roger Dettro of Mattoon.

And to be a member of the board of the Illinois State Museum for a term expiring January 21, 1985, Jane...O'Connor of Chicago.

To be members of the Board of Natural Resources and Conservation for a term expiring January 21, 1985, Robert L. Metcalf of Urbana; H. S. Gutowsky of Champaign; Walter E. Hanson of Springfield; Lorin L. Nevling of Downers Grove and L. L. Sloss of Glencoe.

And to be a member of the Advisory Board of Necropsy Services to Coroners for a term expiring January 19, 1987, Norman T. Richter of Springfield.

And to be directors of the Prairie State 2000 Fund Board of Directors for a term expiring July 1, 1985, Jack J. Watts of Robinson; Jill Flores of Buffalo Grove.

To be members of the Prairie State 2000 Fund Board of Directors for a term expiring July 1, 1987, Dr. Robert John

English of Lisle and Dr. Louis H. Masotti of Chicago.

And to be members...and to be a member of the Rehabilitation Services Advisory Council for a term expiring January 13, 1986, Clarinda Valentine of Chicago.

To be a member of the Rehabilitation Services Advisory Council for a term expiring January 11, 1988, Othello Ellis of Chicago.

And to be a members of the Rehabilitation Service Advisory Council for a term expiring January 8, 1919, Dr. Joseph L. Larsen of Champaign and Celia Warshawsky of Skokis.

To be members of the Southwest Regional Port District Board for a term expiring June 30, 1987, James E. Barker of Lovejoy and Norman A. Viner of Cahokia.

To be a member of the Waukegan Port District for a term expiring May 31st, 1989, Frank A. Nolan of Gurnee.

To be public administrator, guardian and conservator of Lake County for a term expiring December 2nd, 1985, Joseph H. Vogler of Gurnee.

To be public administrator, guardian and conservator of McHenry County for a term expiring December 2nd, 1985, Anthony A. Varese of McHenry.

To be public administrator, guardian and conservator of White County for a term expiring December 2nd, 1985, Mark Stanley of Carmi.

To be public administrator, guardian and conservator of Ogle County for a term expiring December 2nd, 1985, Homer Snyder of Byron.

To be public administrator, guardian and conservator of Boone County for a term expiring December 2nd, 1985, Roger T. Russell of Belvidere.

To be public administrator,...guardian and conservator of DeWitt County for a term expiring December 2nd, 1985, Dr. Robert D. Morin of Clinton.

To be public administrator, guardian and conservator of

Henry County for a term expiring December 2nd, 1985, Philip E. Koenig of Geneseo.

To be public administrator, guardian and conservator of Alexander County for...for a term expiring December 2nd, 1985, Mark S. Johnson of McClure.

To be public administrator, guardian and conservator of Coles County for a term expiring December 2nd, 1985, Karen Fuqua of Mattoon.

To be public administrator, guardian and conservator of Pike County for a term expiring December 2nd, 1985, Barbara S. Dyer of Pittsfield.

To be public administrator, guardian and conservator of Franklin County for a term expiring December 2nd, 1985, Samuel J. Dittmer of Sesser.

To be public administrator, guardian and conservator of Warren County for a term expiring December 2nd, 1985, George H. Brinkman of Monmouth.

To be public administrator, guardian and conservator of Union County for a term expiring December 2nd, 1985, G. Wallace Rich of Cobden.

And to be public administrator, guardian and conservator of Lee County for a term expiring December 2nd, 1985, Lucille K. Hanning of Dixon.

And to be public administrator, guardian and conservator of Cass County for a term expiring December 2nd, 1985, Edward R. Houston of Arenzville.

And to be public administrator, guardian and conservator of Hancock County for a term expiring December 2nd, 1985, James M. Cosgrove of Hamilton.

To be public administrator, guardian and conservator of Mason County for a term expiring December 2nd, 1985, Charles McNeil of Mason City.

So, Mr. President and members of the Senate, having read the unsalaried appointments, I now seek leave to consider

these appointments on one roll call unless some Senator has objection to a specific appointment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Seth Pearlman of the Associated Press has requested leave to take still photos. Is leave granted? Leave is granted. Any discussion? The question is, does the Senate advise and consent to the nominations just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, I now seek leave to consider these appointments on one...one roll call unless some Senator has objection to a specific appointment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is...is leave granted? Leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, does the Senate advise and consent to the nominations just made. 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...on that question, the Ayes are 51, the Nays are none, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Vadalabene. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I now move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, you've heard the motion. The Senate now arises from Executive Session. All right, with leave of the

Body, we will go on the regular Calendar to page 3, Senate bills 3rd reading. Is leave granted?...leave is granted. On the Order of Senate Bills 3rd Reading on page 3 is Senate Bill 1113. I am told Senator Macdonald is the sponsor of Senate Bill 1113. All right, Mr. Secretary, read the bill.  
SECRETARY:

Senate Bill 1113.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1113 is a bill that we are amending to do exactly the same thing that Senate Bill 1859 that was passed out of this Body last Spring and signed into law as Public Act 831123 does. The problem is that the take-or-pay water provision that was the main thrust and issue of this bill has been put under a cloud by a lawsuit that has been filed for water commissions...and...and if that bill...or if that court action should go through, it would also...affect the joint action water agency needs in the area of Cook County. It is absolutely essential at this particular time when we are purchasing Lake Michigan water for the suburban areas that we keep the integrity of the short-term notes that we are going to have to refinance to the amount of forty-two million eight hundred thousand dollars and that will have to be before May of 1985. That is the urgency of this bill. You heard the argument last Spring and I do not want to rehash that argument for you. This is a necessary...bill for both water commissions and joint action water agencies but we do want to not impair the action that is...is going on in Cook County through the Northwest Municipal Conference at this time, and I would ask your support in passing this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any...any discussion? Any discussion? Senator Kelly.

SENATOR KELLY:

Yes, Representative Macdonald, I want to ask you, is your amendment the bill or does the bill do what it says in the synopsis and concerning the...applying a ten percent property tax by Manassa Valley's develop water supply plants in their municipalities? Is that part and parcel to this bill or where do we stand on this bill as amended?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Well, the...the amendment really just takes out...the only thing this bill is doing is...is taking out, at...at least this is my understanding on the analysis and as I have read it, all this bill does is take out the water commission...the water...water commissions and leaves joint action water agencies intact.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

All right, so there is not a...a provision then in this bill that would, in fact, allow local municipalities by referendum or without referendum to impose a ten percent property tax to develop a water supply system. I'd like to know. I happen to have a small community in my legislative district that is having a very big problem on replacing antiquated water system, and I wanted to know if they might be able to use this legislation to help their problem, that's why I was raising this question; but apparently, from what you're telling me, that's...that's not in here at this particular time.

PRESIDING OFFICER: (SENATOR DEMUZIO)



Senator Macdonald.

SENATOR MACDONALD:

Senator Kelly, it...certainly not to my knowledge, and I have been informed by our staff that that...that that would not relate at all to this specific piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Rock.

SENATOR ROCK:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Macdonald, I intend to vote Present on this legislation and I...I'm...frankly, I...I wish you had gotten the amendment to us earlier. We, as you know, just adopted it yesterday; but having had the opportunity to look it over, it does not appear, in my judgment, to be technically correct, and so I'm not so sure we ought to rush into this and...and accomplish...if we're not going to accomplish the purpose you wish to accomplish. It does not, in my view, contain the provisions that are current law. It does not restate 1859. It's a technical imperfection, but it is, in my judgment, imperfect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Senator Rock, I...I have just been informed just within the last few minutes...talking to our staff...of...of your specific concerns. I indeed regret that the Legislative Reference Bureau who...who took this and had it early enough to work on it has, in effect, made what may be a technical error. I would like to suggest that because of the urgency of this bill that we might be able to correct this whatever...procedure we have objections to on this when it goes to the House, and I would...I...I am very sure that...that the Reference Bureau will...will correct it at that time. I...I...I really am in a...a position of...of

urging you to...to consider this piece of legislation because of the impact it will have on the entire suburban area now wanting and waiting for Lake Michigan water.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? All right, the question is, shall Senate Bill 1113 pass. 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 30, the Nays are 5, 12 voting Present. Senate Bill 1113 having received the required constitutional majority is declared passed. On the bottom of page 3, Senate bills 3rd reading is Senate Bill 1958. With leave of the Body...Senator Rock.

SENATOR ROCK:

Thank you, I understand Senator Schaffer has an amendment filed. I'd...I'd ask on behalf...with leave of the Body, to handle this instead of Senator Bruce and ask that it be brought back to the Order of 2nd Reading for purposes of an amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, Senator Rock will handle Senate Bill 1958. Is leave granted? Leave is granted. Senator Rock requests Senate Bill 1958 to return to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading is Senate Bill 1958.

SECRETARY:

Amendment No. 1 offered by Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, you'll recall that the voters recently created the Chain of Lakes-Fox River Water Management Agency. In the legal definition of the

legislation we passed there was a minor glitch which was...we got a quick Attorney General's opinion...I guess an unofficial Attorney General's opinion that it was scrivener's error because it created an obvious absurdity, and all this amendment does is change a couple of...east to west in the legal description so that the legal description is totally what it should be now that this agency has in fact been created by an overwhelming vote of the people in the area.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, any discussion? Senator Schaffer has moved the adoption of Amendment No. 1 to Senate Bill 1958. Those in favor vote...will signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. Senator Macdonald. Senator Macdonald, I am told that on House...on Senate Bill 1113 that there is an...immediate effective date in that bill, therefore, requires 36 votes under our rules. Therefore, in order to correct the record, on the question of passage of Senate Bill 1113, the bill having failed to receive the required constitutional majority is therefore declared lost. The...the sponsor requests postponed consideration. Is leave granted? Leave is granted. Senate bills 3rd reading, Senate Bill 1959, Senator Berman. Senator Berman.

SENATOR BERMAN:

I'd ask for leave to return this to the Order of 2nd Reading for purposes of an amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Berman moves to return Senate Bill 1959 to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Senator Bloom. Senator Bloom.

SENATOR BLOOM:

No, I...just at the proper time, if we could get to House bills on 3rd reading to recall, I have House Bill 589. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Berman has...has requested leave to return Senate Bill 1959 back to the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senators Rock and Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment No. 1 to Senate Bill...1959 increases the amount to be appropriated by fourteen million six hundred thousand dollars. So instead of reading eight million one, it will read twenty-two million seven. I am happy to report that as of our latest information from the...director of revenue is that the amnesty proceeds now...are now in excess of forty-two million seven hundred thousand dollars. So, this will be an appropriation that we will now...hopefully, today send to the House and when we have the final figure, we will, again, amend it, but I would move the adoption of Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator Rock has moved the adoption of Amendment No. 1 to Senate Bill 1959. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

3rd reading. With leave of the Body, we'll return to Senate Bill 1958. Senate bills 3rd reading, Senate Bill 1958, Mr. Secretary.

SECRETARY:

Senate Bill 1958.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the hundred page revision as proffered by the Legislative Reference Bureau. They are technical changes only and changes that are necessary in the opinion of the bureau and I would ask your favorable support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall Senate Bill 1958 pass. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate Bill 1958 having received the required constitutional majority is declared...passed. Senate Bill 1959. On the Order of 3rd Reading is Senate Bill 1959. Mr. Secretary, read the bill.

SECRETARY:

Senate Bill 1959.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. The bill as amended allo-

ates...appropriates 22.7 million dollars under the General Distributive Aid Formula to all the school districts in the State of Illinois. That as...as Senator Rock indicated is reflective of a current figure of 42.7 million dollars, twenty million of which we appropriated in June, the balance of which is being appropriated by this bill for the additional proceeds from the Amnesty Program to the schools throughout the State of Illinois. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Geo-Karis.

SENATOR GEG-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

He indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

How much money in this bill of yours are you allocating to areas outside of the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

If you have a pencil, the amount that goes to Chicago out of the...out of the 22.7 million, Chicago would get seven million seven hundred and twenty-nine thousand three hundred and fifty dollars. Every...every place outside of Chicago would get the difference which is roughly fourteen...fifteen million dollars and that would be divided approximately in the balance of...the County of Cook, 2.6 million; DuPage County, five hundred and eighty-seven...five hundred and eighty-eight thousand; Kane County, seven hundred and fifty-six thousand; Lake County, six hundred and seventy-four thousand; McHenry, two hundred and eighteen thousand; Will County, seven hundred and eighty-one thousand and downstate outside of those collar counties, nine million three hundred thousand two hundred and ten dollars. I've rounded the

figures off approximately.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I'm sorry, would you give me the figure for DuPage County that you're allocating?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

DuPage gets five hundred and eighty-seven thousand nine hundred and thirty dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I urge a unanimous vote. We have, when we passed the Amnesty Program, earmarked this money for elementary and secondary education; and the only question, as I indicated the other day, is whether they get it sooner or later, and I think as long as the money is available, we ought to give it to them sooner, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Question of the...the sponsor, Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Weaver.

SENATOR WEAVER:

I think yesterday we kind of would liked to have seen a printout on...on each of the school districts. I just wondered, do you have one? You quoted some counties, but I just wondered do you have a printout from the individual school districts throughout the State?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

The figures that I read off, Senator Weaver, were taken from the printout of the June allocation and applied those percentages to this dollar amount. I do not have, at this moment, a printout as to what each school district gets. I'm sure we could have it by the 11th of...you know, when we come back.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Keats.

SENATOR KEATS:

Okay. I have no problem voting for it 'cause this is probably where the money ought to go, either here or the pension fund is where the money ought to go, but is it not true that of this additional...what do we want to call it, twenty million, and just using round numbers, that much of this money...we were already auditing many of these people and we probably would have gotten this money next year, only next year we would have had some interest with it because they would have been late fined, whatever; so, well, I have no objection allocating it. Are we not maybe building into the formula money that we maybe thought we were going to have next year and while we're putting in twenty million this year, we may discover some of it we aren't getting next year?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

I think your question goes to the entire concept of the Amnesty Program, and I think that you could have legitimate debate on both sides as to whether...or how much of this is



money that the State would have collected and how much of this is money that the State would not have collected. Also, you have to keep in mind that there's a substantial savings of the cost of collection. I am led to believe that there are many recalcitrant taxpayers that have come in to take advantage of this Amnesty Program, saving all the penalties and half of the interest that it may have cost substantial amounts of dollars if and when it could...they were caught up with and, in fact, collected. So, I think it's a legitimate issue. I'm not sure anybody can give you the fair answer. There's also a debate as to whether we are building the base regarding education funding. We billed twenty million in June. Nobody really raised that question in June. This is an additional 22.7 million. I'm not sure what it'll be by the...the time we come back on December 11th, but I think that part of what we will debate on June 30th of 1985 is, what is the base; and that, again, is a fair topic of discussion. I'm not sure I'm ready to...to give you any fair answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I'm sure that after we're finished today the news media will characterize this as the Chicago school bail-out bill. I'd just like to point out two things. In my district, Farm All closed down, a two million square foot plant; our largest department store closed down. We're a depressed area. We need this money as much as Cook County or the City of Chicago needs it. Secondly, let me point out, if we look at this breakdown and we consider the City of Chicago, the collar counties and downstate as a third, a third, a third. We in downstate are sticking it to you again because we're getting more than our third. So, please vote for this to help downstate. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield, Senator DeAngelis.

SENATOR DeANGELIS:

Senator Berman, has this figure been netted out?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

So, the figure that you are giving is incorrect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

It depends upon who you talk to. I...I read in the newspaper that the Department of Revenue was quoted as saying that this gross figure is, in fact, the net figure; if you're referring to the MROT portion or the one-twelfth income tax portion, again, that's subject to interpretation. Department of Revenue thinks that the gross collections is what they keep. I'm sure that there may be some differences of opinions, and by the time the bill is amended in the House to get the final figure on amnesty...the final correct figure, that that approach will be decided.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I just want to make it clear and, President Rock, you might correct the record if I'm incorrect. There

was every intent and your legislation in 1420 to, in fact, include those other units of government in the Amnesty Program and there should not be any debate at all that that...there is part of that money that belongs to other units of government and...and I'm going to vote Yes, but if that's not true, I am going to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. In response to the gentleman's question, let me say that on Monday I had a rather lengthy discussion with the director of revenue and there isn't any question that the local units of government are entitled to their distributive share, and the director indicates that he is absolutely tracking where every nickel is coming from. So, I think it's fair to say...whatever final figure we appropriate on December 11th, 12th or 13th, that local distributive share will certainly be taken into account. It's roughly...you know, you can take this number and say roughly one-twelfth of that, but we are...this...this is not the final figure; and in response to Senator Keats, we're talking about applications for amnesty of tax liability prior to 1983. So, I don't think it's quite fair to suggest that this money would...would have come to us in any event; and moreover, the director also indicates that he will be in a position at the close of the program to indicate where the money came from and whether or not, in his professional opinion, it would have otherwise been collectable. His preliminary remarks indicated that much of this, if not most of it, would otherwise have been noncollectable. So there's no question it's a one-time windfall, but it's a question of...of giving to the schools what is due and owing and we ought to do it now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, again, just for the record, President Rock, it's more than just that one-twelfth; it can also be the one-cent or two-cent on the sales tax that...that's collected. Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Carroll.

SENATOR CARROLL:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. Also in response to some of the questions, we've had lengthy discussions with Director Johnson Tuesday of this week as well as even today. Yes, Senator DeAngelis, there are monies in here that are ROT monies, personal property tax replacement monies, et cetera. Percentagewise it'll still about work out, as Senator Rock has indicated, and they won't know until about the 10th of December. Some of the taxpayers traditionally take their checks out-of-state and send them back as long as they're postmarked by the close of business on November 30, and Director Johnson indicated that even in normal tax years that the postal service sometimes takes a week to ten days to get those checks in from a little town in Iowa that one of the major taxpayers has traditionally used. So, we won't know till then. We do know from the Massachusetts experience, however, that some sixty percent of the dollars came in the last business day or at least postmarked the last business day. The trend this week indicates very similar to what Massachusetts had, which means that this number is nowhere near a final number and may only be about half of...what we have in the bank today may only be about half of that final number of revenue collected so that the net will be at least this amount and that we should know by the 10th of December. Finally, there's a high probability that the base will in fact expand. Since...as President Rock indicated, this amnesty is...is '83 and pre to that. Many of

these are taxpayers that the department had not found in the past, now they found them, now they know them and they'll be tracking them from this point future. So that many of these are not only a one-time windfall but a future obligation as well so that more revenue will be collected each and every year in the future because we now know of more taxpayers who should have been paying in the past, are paying now and therefore will be watched and paying in the future. So, in fact, the revenue base should increase.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. Well, I think for...we ought to really take a look at this whole concept. It is the obligation of the State of Illinois to make education our number one priority. We've talked about that and all of us as we campaign, we give it a lot of rhetoric. This is the time to put that rhetoric into action. As all of us know when we first talked about the lottery that money was originally going to go for education strictly in a designated fund. It hasn't worked out that way. Here's a chance for us to put our actions where our words are, and I can't see any reason why there should be one, single red light up there if, in fact, education is our number one priority in the State of Illinois. This is our chance to say so.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you, Mr. President. I think that Senator Darrow made a point that I want to emphasize. I was advised yesterday that there are over two hundred school districts in the State of Illinois outside of Chicago that have yet to settle their contracts with their teachers. They are looking

for this money just as much if not perhaps even more so than the City of Chicago. Let me also comment as to the City of Chicago, I would strongly hope that the...what I expect will be a strong, affirmative vote and passage of this bill will deliver a message to the Chicago Board of Education and to the unions that this is an attempt of good faith by both sides of this aisle in this Senate that we are committing early on the amnesty money with the intent to urge the participants to continue their negotiations and, hopefully, to keep the schools open for servicing of our children in Chicago. I think that's an important commitment. I think that commitment goes hand in hand with my urging of a strong Aye vote on the passage of Senate Bill 1959.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1959 pass. 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 50, the Nays are none, none voting Present. Senate Bill 1959 having received the required constitutional majority is declared passed.

PRESIDENT:

If I can have your attention, we will now begin on the...on the Order of House Bills, and since they are House bills, they really don't, today, demand any action. A number of members have filed amendments. It's my suggestion that we go right through the House bills and adopt the amendments if they meet with majority approval and just move right on to the remaining motions on the gubernatorial messages. So, start on the Order of House Bills 3rd Reading, House Bill 952. Senator Bloom seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 952, Mr. Secretary.

SECRETARY:

Amendment No. 3 offered by Senator Demuzio.

PRESIDENT:

Amendment No. 1 to 952, Senator Demuzio.

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President. This is the bill for the...

PRESIDENT:

I beg your pardon. I beg your pardon, it's amendment...Mr. Secretary, amendment...

SECRETARY:

Amendment No...Amendment No. 3.

PRESIDENT:

...No. 3, Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President. In...in the last Session, Senate Bill 450 was the bill that was passed for the Illinois Optometric...Practice Act. Apparently the Governor had some specific recommendations that he wished to make concerning the role of the Department of Education and Registration in respect to the administration and enforcement of the Act and how, in fact, the Act was going to be funded and it would...who was going to pay the cost and the...respective criteria for the individuals who were going to be members of the board. I understand that there's been a substantial amount of discussion relevant to this bill with the Illinois Medical Society, the optometrists, the Governor's Office; Senator D'Arco, with the...as chairman of the committee, has indicated that since it is, in fact, agreed to, that these provisions and these changes are those that the Governor had requested. There seems to be unanimity among all of the respective participants, and I would ask for the adoption of Amendment No. 3.

PRESIDENT:

All right, Senator Demuzio has moved the adoption of Amendment No. 3 to House Bill 952. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Amendment No. 4 offered by Senator Berman.

PRESIDENT:

Senator Berman.

SECRETARY:

I'm...I'm sorry, Senator Berman, they gave me the wrong...

PRESIDENT:

Any further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. All right, if you'll turn to the middle of page 4, on the Order of House Bills 3rd Reading is House Bill 2312. Senator Berman seeks leave of the Body to return that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 2312, Mr. Secretary.

SECRETARY:

Amendment No. 1 offered by Senator Berman.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 1 is...strikes everything in the bill and what this bill does now with the...with this...proposed amendment is to allow the serving of liquor at the new State of Illinois Center in Chicago, the new Revenue Building in Springfield and this Capitol Building. There are safeguards that are built into this and they include; the written con-



sent must be received in advanced by the controlling governmental...entity, it must for use by a nonprofit organization, no liquor during normal working hours, must have dramshop insurance provided by the group and the liquor use must not impair the normal operations of the government building. I move the adoption of Amendment No. 1.

PRESIDENT:

All right, Senator Berman has moved the adoption of Amendment No. 1 to House Bill 2312. Discussion? Senator Keats.

SENATOR KEATS:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Keats.

SENATOR KEATS:

Who are they going to buy that dramshop insurance from? Is that a bid contract, nonbid contract or you can give it to your sister next door? Who are they buying that insurance from 'cause that could be fairly lucrative?

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

I don't have the faintest idea. I would...refer you to the Governor's liaisons and I'm sure they can point you in the right direction.

PRESIDENT:

Further discussion? Further discussion? If not, Senator Berman has...Senator Keats.

SENATOR KEATS:

Could...we're going to do a couple of more bills, aren't we?

PRESIDENT:

This is not going to be called for passage, if that's what you're asking.

HB 336  
2nd Reading

SENATOR KEATS:

...yeah, I mean, I just want...I thought that might be a fun one get an answer to. I mean, I...I have some friends who are in the insurance business too and I'm just wondering who's going to get all this business.

PRESIDENT:

I see all the Governor's representatives running over to your desk. Senator Berman has moved the adoption of Amendment No. 1 to House Bill 2312. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. Amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading, top of page 5, House Bill 336. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 336.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and...Ladies and Gentlemen of the Senate. Senate Amendment No. 1 would allow a public utility to pass on to a consumer the cost of taking high sulfur out of coal. Perhaps some of the members are familiar with the Pearson Tech. process. It does basically three things. It takes out the sulfur out of high pollutant coal, it also removes about twenty-three so-called valuable metals

out of that coal and produces liquid fertilizer. That's the three things it does. There had been a suggestion made that we allow the passing on of that process to the consumer. My so-called experts suggest that would be fifteen cents a bill per household, so we're not talking about very much. I'd be happy to answer any questions, and I would move the adoption of Amendment No. 1 to House Bill 336.

PRESIDENT:

All right, Senator Philip has moved the adoption of Amendment No. 1 to House Bill 336. Discussion? Senator Poshard.

SENATOR POSHARD:

Yes, will the sponsor yield to questions, please?

PRESIDENT:

Sponsor indicates he'll yield, Senator.

SENATOR POSHARD:

Senator Pate, is this inclusive only of the pure contact process, your amendment?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

It is not. It would be...any process that would take the pollutant out, you'd be able to pass it on. It's not limited to just one process.

PRESIDENT:

Senator...

SENATOR PHILIP:

In fact, quite frankly, it probably be unconstitutional, Senator.

PRESIDENT:

Senator...Senator Poshard.

SENATOR POSHARD:

What percent of the technology are you talking about being passed along? Are we talking about the total cost of

the technology being passed along? Are we talking about a percentage basis?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Yeah, I believe we're talking about the total and as I say, my so-called experts tell me that it boils down to fifteen cents a consumer per a bill period. Now I'm not sure that all the public utilities collect their bills once a month. I think my bill I get every two months and sometimes every three months. So, we're only talking about a very minimal fee, like fifteen cents per household per bill.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

What would the effective date of this be in terms of the...the utility company being able to pass this along to the consumer?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Yeah, I believe it...this bill allows the Illinois Commerce Commission to decide whether they want to do it or not. So, I...I would assume what happens, Senator, is they would have public hearings on it before they would allow any public utility to do it, so there would certainly ample time for input from public utilities, citizens, utility bill payers and they would have public hearings and...quite frankly, I'm not sure the commission would do it. I hope that they would do it, but I'm...I'm not positive that they will...they would go along with it.

PRESIDENT:

Further discussion? Any further discussion? If not, Senator Philip has moved the adoption of Amendment No. 1 to

HB 589  
2nd Reading

House Bill 336. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. House Bill 589, read the bill, Mr. Secretary.

SECRETARY:

House Bill 589.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senators Bloom and Sangmeister.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. Briefly, as you know, we passed three bills last Spring that relate in one form or another to the rights of crime victims. The Governor in his infinite wisdom signed them all into law as is; therefore, in order to make them work...the crime victims' bills work, it is necessary that we pass 589 and that we amend 589. Briefly stated, this harmonizes and integrates the concepts of all three bills. We're using 1725 as a baseline and we take the things, in other words, the definition of a family member and victim and things like that and basically work them in together so that the crime victims in the State of Illinois, when they go to examine their statutory rights, it'll make sense. The amendment is rather lengthy and rather technical. I'll answer any questions you may

have, but, otherwise, I'd suggest we adopt it and you can look at it at your leisure before we come back on the 11th of December. Thank you.

PRESIDENT:

Senator Bloom has moved the adoption of Amendment No. 1 to House Bill 589. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 1275. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 1275.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Hall.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment becomes the bill, 1275, and it deletes all the provisions before that and substitutes the...what we...is known as the East St. Louis Development Authority bill, and the Governor has indicated that if we could get all parties to agree and if the bill was sent back to him he would sign it. Now after much negotiation, this bill before you is the agreed bill. This bill is agreed to by all local mayors in the areas affected by the bill and by the director of the Illinois Housing Development Authority,

the Illinois Development Finance Authority and to the Department of...of Commerce and Community Affairs. It establishes the East St. Louis Development Authority to serve as a public developer in the areas of East St. Louis, Allerton, Venice, which is in Senator Vadalabene's area, Centreville and Brooklyn, Illinois, and I ask that this amendment be adopted.

PRESIDENT:

All right, Senator Hall has moved the adoption of Amendment No. 1 to House Bill 1275. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Senator Watson on 2451. On the Order of House Bills 2nd Reading is House Bill 2451. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 2451.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Are there amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Watson.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 1 now becomes the bill and it strikes everything after the enacting clause, and this is the legislation...which we discharged out of the Rules Committee yesterday. I believe this is an agreed amendment. What it does is brings about the original legislative intent of legislation we passed this last Spring in

regard to the Tourism Promotion Fund. It's to bring about and facilitate the construction of...park projects throughout the...throughout our State and Department of Conservation. The technical changes are to provide for prior month accumulative deficiencies in the deposit system for this newly created Tourism Fund. Again, this is the original legislative intent to bring about the required amounts of dollars that are necessary to facilitate the program. It also provides for a five million dollar GRF loan to the Park and Conservation Fund in December which will...be repaid by...at the end of the fiscal year, and there is also a provision in here to have the Park and Conservation Fund pay its share of the bond retirement interest. I move for its adoption.

PRESIDENT:

Senator Watson has moved the adoption of Amendment No. 1 to House Bill 2451. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 2762. Read the bill, Mr. Secretary.

END OF REEL



Reel No. 2

SECRETARY:

House Bill 2762.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Amendment No. 1 offered by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President, members of the Senate. Amendment No. 1 reduces the salary of the director of the Department of Employment Security to the fifty-three five level or the amount set by the Compensation Review Board whichever is greater from fifty-five which was the salary that was originally proposed in 2762. It changes the effective date from July 1st '84 to an immediate effective date. I think though that's the only...I think that's all that's in...Amendment No. 1.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 2762. Any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

I have no objection to the amendment.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

...Constitution inquiry not to the sponsor actually, the Parliamentarian. Can you reduce the salary of someone from

HB 3286  
2nd Reading

fifty-five to three and a half? This is a sitting cabinet officer? Can you reduce the salary of a sitting cabinet officer, or am I misunderstanding what the sponsor just said? I think there's a constitutional problem here.

PRESIDENT:

Any further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Just to answer the inquiry of the...Senator Keats. We're not changing current law, we're changing what was in the original bill. This will conform with current law. The...the original bill changed it. We're changing what was in the bill. This conforms with current law.

PRESIDENT:

All right. Senator Marovitz has moved the adoption of Amendment No. 1 to House Bill 2762. Further discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Top of page 6. On the Order of House Bills 2nd Reading, House Bill 3286. Read the bill, Mr. Secretary.

SECRETARY:

House Bill 3286.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendment.

PRESIDENT:

3rd reading. Middle of page 7, on the Order of Secretary's Desk Concurrence, Senate Bill 1450. Senator Joyce. Mr. Secretary.

SECRETARY:

Senate...Senate Bill 1450 with House Amendments 1, 2, 3, 4, 6, 8, 9, 10 and 11.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senate Bill 1415, the Amendment No. 11 deletes everything above and appropriates forty-five thousand dollars for the Compensation Review Board.

PRESIDENT:

All right. Senator...Senator Joyce has moved that the Senate concur with House Amendments 1, 2, 3, 4, 6, 8, 9, 10 and 11. Any discussion? If not, the question is, shall the Senate concur in House Amendments 1, 2, 3, 4, 6, 8, 9, 10 and 11 to Senate Bill 1450. 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, there are 43 Ayes, 3 Nays, 1 voting Present. The Senate does concur in House Amendments 1, 2, 3, 4, 6, 8, 9, 10 and 11 to Senate Bill 1450 and the bill having received the required constitutional majority is declared passed. On the Order of...with leave of the Body, we'll move to the Order of Consideration Postponed. Senator Philip has filed an amendment on House Bill 557. All right. Senator Philip, you...with respect to this bill you also have a motion in writing, why don't we handle the motion first. Read the motion, Mr. Secretary.

SECRETARY:

I move to suspend Senate Rule 5 and all other appropriate rules that Senate rule...committee be discharged from further consideration of House Bill 557 and that House Bill 557 be placed on the Calendar on the Order of Consideration Postponed.

HB 557  
Recall

PRESIDENT:

All right. You've heard the motion. All in favor indicate by saying Aye. All opposed. The Ayes have it. It's so ordered. Senator...Philip, on the Order of Consideration Postponed, House Bill 557, Mr. Secretary. Senator Philip seeks leave of the Body to bring that bill to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading is House Bill 557. Mr. Secretary.

SECRETARY:

Amendment No. 2 offered by Senator Philip.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is a cleanup bill for the DuPage County Water Commission. Basically it does four things. First of all, it allows a water commission to borrow money from the county; secondly, it allows the county to lend money to the water commission; thirdly, it allows any county in the State of Illinois to have a water commission if they so desire like we have; and the fourth thing it does, in some cases in DuPage County, I think two municipalities, Burr Ridge and Hanover Park overlap from DuPage into Cook County, those two particular municipalities already get Chicago water. What this amendment would do would be prevent them from having the DuPage County tax that...if they are already receiving water from the City of Chicago. So it prevents double taxation for water. I would be happy to answer any questions. This is merely cleanup stuff for our commission. I would happy to answer any questions and move the adoption of Amendment No. 3 to House Bill 557.

PRESIDENT:

All right. Senator Philip has moved the adoption of

Amendment No. 3 to House Bill 557. Any discussion? If not, all in favor indicate by...I beg your pardon, Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, just one quick question. A couple of years ago we put into the Public Water Commission Act the right of municipalities to withdraw from that commission if they want to. Now you've said nothing about affecting that provision so I presume that that stayed the same. You're not touching that provision at all, is that correct?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

That is absolutely correct, there's no intent to do that at all.

PRESIDENT:

All right. Senator Philip has moved the adoption of Amendment No. 3 to House Bill 557. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDENT:

3rd reading. Back to the Order of Consideration Postponed. If you'll turn now to page 13, we will afford those members who have motions filed with respect to gubernatorial action. All right. Senator Joyce, you have a motion filed on 1798? Hold. Senator Hall on 1554 indicates that's a hold. All right. Senator Holmberg on Senate Bill 1430. Read the motion, Mr. Secretary.

SECRETARY:

I move that Senate Bill 1430 Do Pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Holmberg.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

I would like to yield to Senator Sam Vadalabene to explain the amendment.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senate Amendment No. 2 to Senate Bill 1430. The intent of the amendment is not what some people believe. What we are trying to establish with that amendment, and it passed unanimously over in the House, that the chairman of the County Board of Monroe, the chairman of the County Board of Madison County and the chairman of the County Board of St. Clair County suggest to the Governor that any vacancies that occur on the Bistate Development Agency the names would be submitted to the Governor as a suggestion for his approval. Now if the Governor does not like the names that he sees in those suggestions, he can make his own suggestions and I have approval from the three county board chairmen that they would acquiesce to the Governor. Also, the members that would be appointed to this board would have to come before the Senate Confirmation Committee for confirmation. And I have assured Governor Thompson that I would go along with any member that is appointed to that Bistate Development Agency Board and that I would not go along as chairman of that committee of any member that is appointed to that board that he does not want. And the Governor knows that my word is my bond. Now what is the purpose of this situation? The Bistate Development Agency Board is consisted of ten members, five from Missouri and five from Illinois. We have a serious situation in Illinois that we have vacancies that appear as long as one year or longer. Consequently, when any issue comes up before the entire board we're generally two to one member short and

we always get the short end of the stick because the Missouri delegation is always there five strong. Now what Missouri has done in regard to this same legislation, they had Mayor Schoemehl of St. Louis and the supervisor of St. Louis County doing the same thing, suggesting to Governor Bond who they would like to have on that board with the Governor's approval. We are merely asking because at times where...when we are awarded a chairmanship on that board in Illinois we don't have the votes to get there. This is merely a move to expedite the Governor to make these selections on that board and there's nothing wrong with such a request. This does not take any power away from the Governor, and I might cite you we are not setting a precedent...a precedent that the State Board of Elections has the same procedure now. It is in a law that the State Board of Election does the same thing and suggests the names to the Governor. And, Senator Davidson, I would appreciate if you would give us a good look and all members of the Senate to adopt this override and override the Governor's position. The Governor has indicated I'm a man of my word and he's leaving it up to the General Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIC)

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

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of the motion to override the Governor's specific recommendation, as a matter of fact, having filed a similar motion or an identical motion myself. This was an amendment that was worked out by the House with respect to the Bistate Development Agency and merely says that the Governor will select his members to that board subject to the advice and consent of the Illinois Senate but select them from names submitted by the chairmen of the Madison, St. Clair and Monroe County Boards. It is eminently reasonable and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor...of the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene indicates he will yield. Senator Welch.

SENATOR WELCH:

In the explanation, Senator Vadalabene, that you gave, did you say that the...the program will be that there will be recommendations of appointees to the Governor, but that if the Governor didn't want to accept any of those recommendations, he could appoint anyone...he could recommend anyone he wanted to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, that is correct. He could submit his own names to the county board, they would acquiesce to his request and put those names on there along with the county chairman, Doctor Ragsdale, a Republican County Chairman, that they would accept any names that he would submit to the county board to the Governor. This is not anything...it's not Democratic or...or...or Republican as some people may think, it's just to expedite the members to be put on this board.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Senator, did you further say that the appointees come before your committee on Executive Appointments?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes.



PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

And finally, did you also tell the Governor that whoever he appointed you would then support no matter who it was?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

No, I said to the Governor that if he had any problems with any of the appointees that came before the committee that I would support him. But the...the...the members would be approved by him before they got to the committee but I gave him that other assurance.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, just to be clear in my own mind, you're not saying that regardless of who the Governor sends up there you're going to approve, you're going to go through a hearing process, and if the people are not qualified even though the Governor appoints them you are going to...if they are not qualified not approve them? Is that what you're saying here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

That's just the opposite.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, then if you're saying that whoever the Governor sends up you're going to approve without any hearings, without any question, then I'm not supporting this. This is...this is crazy. You're right, it's not Democratic or Republican, it's not democratic with a small d either.

What's the sense of having hearings and having these people go through this Committee on Executive Appointments if you're not going to have a regular hearing? There's...there's absolutely no point. Why not just put an amendment in here to let the Governor appoint them directly and let's quit going through the charade. I...I'm voting against this, I think this is idiotic.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senator Welch, don't be too alarmed by this procedure. The purpose of it is to expedite the appointments by the Governor to this board so we can have a voice in the Bistate Development Agency. These people will be qualified, the Governor will screen...will screen them. We have had no problems with any appointments by the Governor since I've been in the Legislature; however, what we do want is we want to get our board acting quickly and not delay the appointments by the Governor as late as a year which makes us weaker on the Illinois side. We need your help to make us strong on this side, and we will have competent people on that board because I know the Governor will have competent people on there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Philip.

SENATOR PHILIP:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Philip.

SENATOR PHILIP:

Yeah. Senator Sam, these bistate commissions, if I...if I remember correctly are financed through the General Assembly in the State of Illinois. Are there any county funds that are put in any of these bistate commissions whatsoever?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Honestly, I don't know, Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Sorry, I didn't hear the question, Sam. The answer, I mean.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yeah, there's a...there's a...there's a TV program question and answer. I don't know, Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Well, let me just suggest this. The Governor is...doesn't happen to be for this piece of legislation I've been led to believe, I haven't talked to him personally. Secondly, I don't know how this would expedite any appointments when you're going to have to wait for respective county board chairmen to make recommendations to the Governor. Under the present system the Governor just makes the appointment. Secondly, I mean, after all, they're State funds, we are funding those bistate commissions. Why shouldn't the Governor make those appointments himself and he's always taken recommendations in the past, Sam. You've got more appointments...from the Governor than anybody on the other side of the aisle almost, Sam, and you've done very well with the Governor. Why do you want to take that power away from him now is...is...is...is hard for me to believe, you've done extremely well. I can't remember the last time the Governor said no to you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

...staff here tells me that Madison County and the respective other counties do put money into the program. I don't know what you're talking about I get more from the Governor than anybody else, that's a different case. We're talking...we're talking about Amendment No. 2 to Senate Bill 1430 which will expedite the vacancies. Now, you've been a county board chairman, I believe, or I don't know, but what we have down there is a year or more, six months, a year and a half delay on the Governor making those appointments. How would you like to be saddled with a minority in our bistate development agencies on matters that...that concern the State of Illinois? This is what you got to look at. We are not...we are not taking any power away from Governor Thompson in no way. No matter what you tell me over there, Senator Philip. What we are doing is trying to expedite the appointments, get them to the Governor right away, he makes them, they have to be confirmed by us in the Senate, and you know that we can handle that in a pretty good fashion, but they will be the Governor's appointments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? All right. Senator Vadalabene, you wish to close? All right. The question is, shall Senate Bill 1430 pass, the specific recommendations of the Governor to the contrary notwithstanding. 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? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 18, none voting Present. The bill having failed to...to receive the required three-fifths vote is declared lost. The motion fails. On the Order of Motions is a...another motion

has been filed in...with respect to Senate Bill 1430, Mr. Secretary.

SECRETARY:

I move to accept the specific recommendations of the Governor as to Senate Bill 1430 in the manner and form as follows. Signed, Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

I wish to accept now the Governor's recommendations which removes the bistate development language and brings it back to the original bill which allows competitive bidding for merged...governments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of...of...of the Governor...the question...in the manner and form just stated by Senator Holmberg. 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 48, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1430 having received the required constitutional majority vote of Senators elected are declared accepted. (Machine cutoff)...Carroll. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. On page 7, Senate Bill 1586, on the Order of Secretary's Desk Concurrence, I would move that we do not concur, that we nonconcur, with House Amendments 1 and 2. The purpose of which is to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll...with leave of the Body, we will go...

HB 2800  
motion

SENATOR CARROLL:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...to the order of Secretary's Desk on page 7 to Senate Bill 1586. Is leave granted? Leave is granted. Senator Carroll.

SENATOR CARROLL:

Why, thank you, Mr. President. The motion will be to nonconcur with House Amendments 1 and 2. The purpose of which is really so that this may be the vehicle bill for those requests we understand the Governor will be making for supplemental appropriations, tax refunds, et al, so we need to place this bill in a Committee on Conference. I would therefore move we nonconcur with House Amendments 1 and 2 to Senate Bill 1586.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Carroll has moved to nonconcur in House Amendments 1 and 2 to Senate Bill 1586. All in favor say...say Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. All right. With leave of the Body, we'll go to resolutions. Resolutions, Mr. Secretary. Leave granted? Leave is granted. Mr. Secretary, resolutions.

SECRETARY:

Senate Resolution 791 offered by Senators Davidson, Demuzio and all Senators and...it is a commendatory resolution.

Senate Resolution 792 offered by Senator Jerome Joyce and it's a congratulatory resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR ETHEREDGE:

Yes, Mr. President, Ladies and Gentlemen of the Senate,

I filed a...a motion with respect to House Bill 2800, and I would like to request that that motion be journalized in order that the bill could be heard at a later date.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. The motion will be placed on the Calendar. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We have only remaining the adjournment resolution which will bring us back here on December the 11th at the hour of noon. We have the Resolutions Consent Calendar, and Senator Macdonald I was just informed has filed an amendment. You'll recall we earlier discussed Senate Bill 1113 as amended. It had an immediate effective date and thus did not receive the required vote. The Senator has an amendment and this will be probably the last order of business, but I think it only fair to afford her the opportunity to amend her legislation. So, with leave of the Body, if we can go to the Order of Consideration Postponed to take up Senate Bill 1113 and then we're virtually finished.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the request. Is there leave to go to the Order of...Consideration Postponed? Is leave granted? Leave is granted. On the Order of Postponed Consideration is Senate Bill 1113. Mr. Secretary.

SECRETARY:

Amendment No...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...Senator Macdonald. Senator Macdonald requests leave of the Body to return Senate Bill 1113 on the Order of Postponed Consideration...the Order of 2nd Reading for the purpose of an amendment. Is leave granted? Leave is granted. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. I would like to, at this time now, Table Amendment No. 1 and offer Amendment No. 2. It...Amendment No. 2 does not...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Macdonald has...has moved to Table Amendment No. 1. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Any further amendments?

SECRETARY:

Amendment No. 2 offered by Senator Macdonald.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Yes, Amendment No. 2 simply deletes the effective date and I am offering it with the intent of correcting the technical problems in the House. So, I urge your support of this amendment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Is there any discussion? Senator Macdonald has moved the adoption of Amendment No. 2 to Senate Bill 1113. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Any further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Back to consideration postponed. Senator Rock.

SENATOR ROCK:

I...Senator Macdonald has indicated she wishes to get right back to that bill so if we could have intervening business, I'll take the adjournment resolution and the Resolutions Consent Calendar and then we can get back to her and that's it.



PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Resolutions. All right. 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 adopted the following joint resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 193.

(Secretary reads HJR 193)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would move to suspend the rules for the immediate consideration and adoption of House Joint Resolution 193. It is the adjournment resolution and at the close of business, which will be very shortly, calls for us to return to Springfield on Tuesday, December the 11th at the hour of noon. I would move for its immediate consideration and adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the...you've heard the motion. Those in favor signify by saying...Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Senator Rock has moved to suspend the rules for the immediate consideration of the...and adoption of the amendment is...those in favor signify by saying Aye. Opposed Aye. The rules are suspended. Senator Rock now moves the adoption of House Joint Resolution 193. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The resolution is adopted. All right, Resolutions Consent Calendar. Mr. Secretary, have any objections been filed?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved that the Senate adopt the Resolutions Consent Calendar. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. With leave of the Body, we'll go back to the Order of Consideration Postponed where reposes is Senate Bill 1113. Is leave granted? Leave is granted. On the Order of Postponed Consideration, Mr. Secretary, is Senate Bill 1113. 3rd reading.

SECRETARY:

Senate...Senate Bill 1113.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Macdonald.

SENATOR MACDONALD:

Thank you. First of all, I would like to express to President Rock my deep appreciation for his consideration. The take or pay provision of this...entire concept is...is what is basically at stake here. And without keeping any of you any longer, I know you want to get on your way, we've described this and have discussed it before and I would really urge and ask...implore your support so that we can get this amendment passed and the bill on over to the House, get it corrected and back over here, where indeed will take thirty-six votes. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? If not, the question is, shall Senate Bill 1113 pass. 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...on that question, the Ayes are 39, the Nays are

1, 4 voting Present. Senate Bill 1113 having received the required constitutional majority is declared passed. Messages from the House.

SECRETARY:

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

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

House Bills 2040, 2423, 2428, 2556, 2660, 2615, 2868, 3140, 3143, 3148, 3161, 3178...2509, 2992, 2961.

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

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

House Bill 2359.

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

Mr. President - I am directed to inform the Senate the House of Representatives has passed items which are attached to a bill with the following title, the veto of the Governor to the contrary notwithstanding, in the passage of which I am instructed to ask concurrence of the Senate, to-wit:

House Bill 2649.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further business to come before the Senate? Further business to come before the Senate? Senator Vadalabene moves that the Senate stand adjourned until December the 11th, the hour of noon.