84TH GENERAL ASSEMBLY

REGULAR SESSION

FEBRUARY 10, 1986

PRESIDENT:

The hour of twelve having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Prayer this afternoon by Senator Kenneth Hall, East St. Louis, Illinois. Senator Hall.

SENATOR HALL:

(Prayer given by Senator Hall)

PRESIDENT:

Amen. Reading of the Journal, Mr. Secretary.

SECRETARY:

Wednesday, January the 8th, 1986 and Thursday, January the 9th, 1986.

PRESIDENT:

Senator Kelly. Kelly...Kelly.

SENATOR KELLY:

Mr. President, I move that the Journals just read by the Secretary be approved unless some Senators has additions or corrections to offer.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Senator Kelly. No. Okay. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution...the following resolutions are all congratulatory.

- 648, by Senator Lemke.
- 649, Senator Lemke.
- 650, Senator Lemke.
- 651, Senator Luft.
- 652, Senator Etheredge.
- 653, Senator Lemke.

- ...654, Senator Carroll.
- 655, Senator Kelly.
- 656, Senator Berman.
- 657, Senator Davidson and all Senators.
- 658, Senator Macdonald.
- 659, Senator Smith.
- 660, Senator Mahar.
- 661, Senator Mahar.
- 662, Senator Mahar.
- 663, Senator Mahar.
- 664, Senator Mahar.
- 665, Senator Mahar.
- 666, Senators Mahar and Hudson.
- 667, Senator Hudson.
- 668, Senator Davidson and all Senators.

And Senate Joint Resolution 110 is a death resolution.

PRESIDENT:

Consent Calendar. If I can have the attention of the membership, the House has convened and they are awaiting our arrival for the purpose of the Governor's Message. The Committee on Escort will remain at the Well of the Chamber to escort the Governor. The committee is Senator Welch, Senator O'Daniel, Senator Nedza, Senator Rupp and Senator Davidson. Senator Philip, for what purpose do you arise sir?

Thank you, Mr. President. For the purpose of introducing some new Senators. We have Senator Dave Leitch from Peoria replacing Prescott Bloom, District 47. He's been a vice-president of a bank, very active in his community and Republican politics and I wish that the Senate would...would acknowledge his presence.

PRESIDENT:

Senator Leitch, welcome.

SENATOR PHILIP:

Secondly, Mr. President, we have...as you know, Senator Coffey has retired. His replacement is...is...certainly somebody not new to the legislative process, but "Babe" Woodyard has served in the House with distinction. He's a farmer, an active Republican. He'll be a great asset to us here in Springfield and we're glad to have you on this side of the aisle.

PRESIDENT:

Senator Woodyard, welcome. All right, Senator Philip moves that the Senate stand in Recess. We'll stand in Recess until the hour of one-thirty at which time we will reconvene for the purpose of transacting some necessary business. In the meantime, I'd ask the members of the Senate to, please, immediately go over to the House Chamber and meet at the front door. Senate stands in Recess until one-thirty.

RECESS

AFTER RECESS

PRESIDENT:

If I can have your attention, the Speaker has informed me that the House has broken for a caucus, and so I have discussed with Senator Philip...obviously, whatever we are going to do today will require joint action. So, in the interest of our own sanity, we decided that we would stand in Recess until the hour of two-thirty to afford the members an opportunity to grab a sandwich, those of us who sat through that lengthy speech. Well, it was too long, now you have to, you know...Senator Geo-Karis, for what purpose do you arise?

Mr. President and Ladies and Gentlemen of the Senate, I, who enjoyed that very beautiful speech, would like to ask for...personal privilege and introduce to you Reverend and Mrs. Lyle Koffman from Mayven Township, which serves the...both Senator Barkhausen and myself, and would you join me in welcoming them here.

PRESIDENT:

Welcome to Springfield. Will our guests please stand and be recognized. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President, an inquiry. I have a Revenue Committee meeting that was scheduled for two o'clock this afternoon. Have you any suggestion as to the recessed hour that it ought to be set?

PRESIDENT:

Well, my preliminary indication, at least, is that once we return we will have approximately one hour's worth of work, assuming everything goes according to Hoyle, which you can assume it won't. Your guess is, frankly, as good as mine. How long was your meeting going to be? Why don't you have your meeting at two o'clock?

SENATOR NETSCH:

Should we start it at two o'clock and then...

PRESIDENT:

Start it at two o'clock and just plan on being back here as close to two-thirty as...well, I...I wouldn't do that either. Let me...I...I should think that you'd want to post-pone it till about four o'clock.

SENATOR NETSCH:

Thank you.

PRESIDENT:

Senator Berman, for what purpose do you arise? Our prayer has been answered, Senator Berman's mike doesn't work. Senator Berman.

SENATOR BERMAN:

Thank you. It's a good thing you're my President. In keeping with your suggestion, the Joint Committee on Education Oversight Reform will reconvene at 4:00 p.m. rather than at 2:00 p.m. The reason for that is the House is also

in caucuses and it's a joint committee, so we'll resume at 4:00 p.m. in Room 400.

PRESIDENT:

Thank you, Senator Berman. Senator Lechowicz, for what purpose do you arise, sir?

SENATOR LECHOWICZ:

Thank you, Mr. President. To make the announcement that JCAR will meet at four o'clock in lieu of two o'clock as was scheduled. Thank you.

PRESIDENT:

All right, the Senate will then stand in Recess...let's say for one hour...at quarter...it's now quarter to two, we'll say quarter to three to make sure everybody gets a chance to have some lunch. In the meantime, to accommodate the...the Secretary's Office, we'll read in some resolutions. Resolutions, Mr. Secretary.

SECRETARY:

The following resolutions are all congratulatory.

- 669, by Senator Newhouse and all Senators.
- 670, Senator Savickas.
- 671, Senator Savickas.
- 672, Senator Savickas.
- 673, Senator Netsch.
- 674, Senator Topinka.
- 675, Senator Topinka.
- 676, Senators Lechowicz, Rock and all Democrat Senators.
- 677, Senators...Lechowicz and Rock.
- 678, Senator Degnan.
- ...679, Senator Degnan.
- 680, Senator ... Jeremiah Joyce.

Senate Joint Resolution 111, Senator Topinka.

Senate Joint Resolution 112, Senator Topinka.

Senate Joint Resolution 113, Senator Vadalabene and all Senators.

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Senate Resolution 681, Senator Vadalabene.

682, Senators Chew, Jones, Smith, Hall and Newhouse.

683, Senator Philip.

684, Senator Dunn.

685, Senator Dunn.

686, Senator Dunn.

687, Senator Mahar.

688, Senators Dudycz, Nedza and Topinka.

PRESIDENT:

Consent Calendar. I see Senator Philip has returned. We will stand in Recess then for one hour and be back here, if you will please, at quarter to three and we will attempt to expedite our business.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 689 offered by Senators Luft, Sommer, Leitch, Rock, Philip and all Senators, and it's commendatory.

And Senate Resolution 690 offered by Senator Topinka and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 691 offered by Senator Collins.

PRESIDENT:

Executive. Message from the Governor.

SECRETARY:

Message from the Governor by Kirk Dillard, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, the 84th General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Introduction of bills, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1517, by Senator Lemke.

(Secretary reads title of bill)

Senate Bill 1518, Senator Marovitz.

(Secretary reads title of bill)

1519, by Senator Demuzio.

(Secretary reads title of bill)

1520, Senator Maitland.

(Secretary reads title of bill)

Senate Bill 1521, Senators Maitland and Berman.

(Secretary reads title of bill)

1522, Senator Marovitz.

(Secretary reads title of bill)

1523, Senator Marovitz.

(Secretary reads title of bill)

1524, Senator Chew.

(Secretary reads title of bill)

1525, by Senator D'Arco.

(Secretary reads title of bill)

1526, Senator D'Arco.

(Secretary reads title of bill)

1527, Senator D'Arco.

(Secretary reads title of bill)

1528, Senator D'Arco.

(Secretary reads title of bill)

1529, Senator Collins.

(Secretary reads title of bill) 1530, Senator Collins. (Secretary reads title of bill) 1531,...by Senator Collins. (Secretary reads title of bill) 1532, Senator Welch. (Secretary reads title of bill) 1533, by Senator Sangmeister. (Secretary reads title of bill) 1534, by the same sponsor. (Secretary reads title of bill) 1535, by Senator Sangmeister. (Secretary reads title of bill) 1536, Senator Smith. (Secretary reads title of bill) 1537, Senator Smith. (Secretary reads title of bill) 1538, Senator Savickas. (Secretary reads title of bill) 1539, by Senator Jeremiah Joyce. (Secretary reads title of bill) 1540, by the same sponsor. (Secretary reads title of bill) 1541, by Senators Dawson, Degnan, Lemke, Jeremiah Joyce, Nedza and Zito. (Secretary reads title of bill) 1542, by Senators Dawson and Chew. (Secretary reads title of bill) 1543, by Senators Dawson and Chew. (Secretary reads title of bill) 1544, by the same sponsors. (Secretary reads title of bill)

1545, by the same sponsors.

(Secretary reads title of bill)

1546, by Senators Dawson and Chew.

(Secretary reads title of bill)

1547, Senator Dunn.

(Secretary reads title of bill)

1548, by Senators...Poshard.

(Secretary reads title of bill)

1549, the same sponsor.

(Secretary reads title of bill)

1550, by Senators Rigney and O'Daniel.

(Secretary reads title of bill)

1551, Senator Zito.

(Secretary reads title of bill)

1552, Senators Lechovicz and Marovitz.

(Secretary reads title of bill)

1553, by Senators Dunn and Rigney.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Senator Zito, for what purpose do you arise, sir? SENATOR ZITO:

Thank you, Mr. President. With leave of the Body, I'd like to be added as a sponsor to Senate Bill 1506. I have talked to the chief sponsor.

PRESIDENT:

The gentleman has requested leave to be shown as an additional cosponsor of Senate Bill 1506. Without objection, leave is granted. Message from the House, Mr. Secretary. SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede to their Amendment No. 4 to a bill with the following title, to-wit:

Senate Bill 994.

And they are requesting a first Committee of Conference

and the Speaker has appointed the members on the part of the House.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I would first like to ask leave of the Body that...that I be shown as the...as the lead sponsor on Senate Bill 994. That was a bill that was under the sponsorship of Senator Bloom.

PRESIDENT:

All right, Senator Maitland seeks leave of this Body to be shown and assume the chief sponsorship of Senate Bill 994. Any discussion? Without objection, leave is granted and it's so ordered. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. Chairman...Mr. President and Ladies and Gentlemen of the Senate. I would ask that...that the Senate accede to the wishes of the House and that a Conference Committee report...Conference Committee be appointed for Senate Bill 994.

PRESIDENT:

All right, the gentleman has moved that the Senate accede to the request of the House and that a Conference Committee be appointed. All in favor of that motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. The Secretary shall so inform the House. Senator Berman, for what purpose do you arise?

For purposes of an announcement...for purposes of an announcement, Mr. President. The Joint Committee on Oversight of Education Reform was going to reconvene at 4:00 p.m. but because of conflicts of time schedules, the meeting will be postponed until March. We will post for the next meeting

of the joint committee. Thank you, Mr. President. PRESIDENT:

If I can have the attention of the membership, Senator Philip and I have been in discussions with the House, just to give you an idea of what we will attempt, at least, to accomplish today so that everybody can make their plans accordingly. On the Senate Calendar, Senator Philip has indicated he wishes to go to the Order of Consideration Postponed for the purpose of taking up Senate Bill 1249. In addition to that, there will be a Supplemental Calendar once the House has taken action. We will be dealing with five additional matters; Senate Bill 147, which Senator Berman, I hope, will move to nonconcur in and send it back; Senate Bill 242, which deals with the subject matter of school consolidation which the House is currently doing something with: Senate Bill 1064, which has to do with quick take in favor of a municipality: House Bill 374, which is a technical amendment to the Cook County Pension System and House Bill 526, which will reflect the Governor's request for supplemental appropriations in favor of certain agencies. Those six matters will in fact, our work product when we conclude our business today; and we do intend to conclude today and will not return to Springfield until March the 5th for the purpose of the Budget Address. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. After consulting with the minority spokesman on Revenue, Senator Etheredge, and the President of the Senate, I think it behooves us to postpone the Revenue Committee meeting that was scheduled for two o'clock today until we return on March 5th. I will send out notices of the revised time when we have it established.

PRESIDENT:

If I can have you...if I can have your attention, if

you'll turn to page 2 on the Calendar...the Order of...on the Order of Secretary's Desk Concurrence is Senate Bill 147. House Amendment No. 1, Mr. Secretary.

SECRETARY:

Senate Bill 147 with House Amendment No. 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that the House...I'd move that the Senate nonconcur with House Amendment No. 1 to Senate Bill 147 and that a Committee of Conference be called if the House refuses to recede.

PRESIDENT:

All right, Senator Berman has moved to nonconcur in House Amendment No. I to Senate Bill 147. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. With leave of the Body, we'll move to the Order of Committee Reports. Committee reports, Mr. Secretary.

SECRETARY:

Senator Lechowicz, chairman of the Committee on Executive Appointments, Veterans' Affairs and Administration, to which was referred the Governor's Messages of October the 2nd, 1985 and January the 9th, 1986, report the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Message of October 2nd, 1985 and January 9th, 1986.

PRESIDENT:

All right, you've heard the motion as placed by Senator Lechowicz that the Senate resolve itself into Executive Session. Is there any discussion? If not, all in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Senate is now in Executive Session. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With the respect to the Governor's Message of October...

PRESIDENT:

Ladies and gentlemen, can we have a little order. SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of October 2nd, 1985, I will read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate to advise and consent.

To be a member of the board of trustees for the State Community College of East St. Louis for a term expiring June 30th, 1989, Carol A. Perry of East St. Louis.

To be members of the board of trustees of the State Community College of East St. Louis for terms expiring June 30th, 1991, Robert S. Mosley of East St. Louis,...Fayetta McKinney Page of East St. Louis and Billy Belle Weber of East St. Louis.

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

PRESIDENT:

All right, you've heard the request to...is leave granted? Leave is granted. Is there any discussion on these appointments? If not, 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. For the benefit of the membership, our two new members will be subject to an oral roll call since the board has not yet...does not yet reflect their names so that their...their vote can be properly journalized and recorded. 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? Mr. Secretary, please call the additional members.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDENT:

Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. The Senate does advise and consent...a majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz. SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of January 9th, 1986, I will read the salaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Illinois Human Rights Commission for a term expiring January 19th, 1987, Saul Morse of Spring-field.

To be members of the Illinois Human Rights Commission for terms expiring January 16th, 1989, Catherine Bertini of Chicago, Mathilda Jakubowski of Chicago, Howard Veal of Springfield, Randall Raynolds of Springfield, Alfred Whitley of Chicago.

To be secretary of the Department of Transportation for term expiring January 19th, 1987, Harry Hanley of Springfield. To be a member of the Court of Claims for a term expiring January 20th, 1992, Andrew...Raucci of Chicago.

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

PRESIDENT:

All right, the gentleman has asked leave to consider these salaried appointments on one roll call. Without objection, leave is granted. Any discussion on these appointments? If not, 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? Mr. Secretary, will you poll the additional members.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDENT:

Have all voted who wish? Take the record. On that question, there are 49 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. With respect to the Governor's Message of January 9th, 1986, I'll read the unsalaried appointments to which the Senate Committee on Executive Appointments, Veterans' Affairs, Administration recommends that the Senate do advise and consent.

To be a member of the Agricultural Export Advisory Committee for a term expiring January 19th, 1987, Ben Liu of Lisle.

To be a member of the Export Development Authority for a

term expiring January 20th, 1988, Maurice Weiss of Lincolnwood.

To be members of the Illinois Independent Higher Education Loan Authority for terms expiring June 30th, 1992, Louise Lawson of Chicago, George Stevens of Lake Bluff.

To be members of the Mt. Carmel Regional Port District for terms expiring June 30th, 1988, Charles Boss of Mt. Carmel, Gordon Kirkman of Mt. Carmel.

To be members of the Advisory Board on Necropsy Services to Coroners for terms expiring January 18th, 1988, Charles Bilyeu of Springfield, Phyllis Jameson of Milford, Robert Matthews of Wheaton, James Radden of Belleville, James Walker of Carbondale.

To be a member of the State Soil and Water Conservation Advisory Board for terms expiring January 16th, 1989, Alvin Neal of...Golconda.

To be members of the Southwest Regional Port District for terms expiring June 30th, 1988, Wingo Smith, Jr. of Dupo, Delmar Valine of Carondelet, Fred Witte of Caseyville.

Mr. President, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call unless some Senator has objections to a specific appointment.

PRESIDENT:

All right, the gentleman seeks leave to have the unsalaried appointments considered on a single roll call. Without objection, leave is granted. Senator Lechowicz.

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

PRESIDENT:

Is there any discussion on these appointments? If not, 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? Mr. Secretary, will you poll the additional members.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDENT:

Have all voted who wish? Take the record. On that question, there are 48 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I move that the Senate rise from Executive Session.

PRESIDENT:

All right, you've heard the motion as placed by Senator Lechowicz that the Senate do arise. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 693 offered by Senators Watson, Rock, Demuzio and Rupp. Congratulatory.

Senate Resolution 694 offered by Senator Watson and it's congratulatory.

Senate Resolution 695 offered by Senator Dawson and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 696 offered by Senator Dawson.

PRESIDENT:

Executive. Senator Philip, you've placed with the Clerk a resolution by you and I. Purther resolutions, Mr. Secre-

tary.

SECRETARY:

Senate Resolution 696 offered by Senators...697, rather, offered by Senators Philip and Rock.

(Secretary reads SR 697)

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Basically, Senate Resolution 697 changes the reporting date on the Nonbank Bank Commission. Instead of reporting back on March 15th, it reports back on December 1 to coincide with the Federal legislation that's reporting back on the same subject on December 1. Be happy to answer any questions. Move its adoption.

PRESIDENT:

All right, Senator Philip have moved for the suspension of the rules and the immediate consideration and adoption of Senate Resolution 697. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. Senator Philip...the rules are suspended. Senator Philip now moves the adoption of Senate Resolution 697. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the resolution is adopted. Senator Luft, for what purpose do you arise?

SENATOR LUFT:

Thank you, Mr. President. I'd like to move to suspend the appropriate rules for the immediate consideration of Senate Resolution 689. This has the approval of the President of the Senate and the Minority Leader. It's being offered by myself, Senator Bloom...I mean, Senator Sommer and Senator Leitch and it pertains to our effort to ask the committee that has been asked to rename...or to name the Civic Center Authority and Peoria's Theater to have them consider the name

of Senator Prescott Bloom.

PRESIDENT:

All right, Senator Luft has moved to suspend the rules for the immediate consideration of Senate Resolution 689. Is there any discussion on the motion to suspend? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The rules are suspended. Before the Body now is Senate Resolution 689, Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would now move for the adoption of Senate Resolution 689.

PRESIDENT:

All right, any discussion? Is there any discussion? If not, Senator Luft has moved the adoption of Senate Resolution 689. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the resolution is adopted. Introduction of bills.

SECRETARY:

Senate Bill 1554 introduced by Senator Smith.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1555, Senator Topinka.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1556, Senator Schuneman.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill 1557, Senator Topinka.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President, for the purpose of an announcement. JCAR was supposed to meet...JCAR was supposed to meet today at four o'clock from the two o'clock postponed meeting. We will now reconvene in Chicago on Thursday, February 13th, at eleven o'clock in the State of Illinois Building on the sixteenth floor. Thank you, Mr. President.

PRESIDENT:

Messages from the House.

SECRETARY:

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

Mr. President — I am directed to inform the Senate the House of Representatives has refused to recede from their Amendment No. 1 to a bill with the following title:

Senate Bill 147.

They have requested the first conference and the Speaker has appointed the members on the part of the House.

PRESIDENT:

All right, Senator Berman moves that the Senate accede to the request of the House for a Conference Committee on Senate Bill 147. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it's so ordered. Ladies and gentlemen, if I can have your attention, I was just inside listening and speaking with the House people. There are...remaining five matters and it is now a question of...of the paper coming back from the House and Conference Committee reports. We have the Conference Committee report on Senate Bill 147 which is or will be in place. The House has just passed Senate Bill 242 as amended, which pertains to the subject matter of school consolidation. House Bill 374, the Conference Committee report has been filled, that's the Cook County pension bill; and House Bill 526, I understand the conferees...that is the supplemental appropriation for a number of agencies, I understand the conferees are meeting or have met and are circulating reports. It is simply a matter of time and I have been attempting all day and part of last night to move this process along, so that's where we are. Hopefully, within the hour we will be...in a position to finish our business; and, obviously, on the Calendar is Senate Bill 1249, so...and there are only those five matters and then a death resolution in favor of our dear departed colleague and then we will conclude our business. So, I'd ask you just to kind of stay put. As soon as it comes, we're going to start moving. The Senate will come to order. The Chair has requested that the Secretary distribute the Supplemental Calendar so that we can, hopefully, conclude our business. Messages from the House, Mr. Secretary.

SECRETARY:

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

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

House Bill 526 with Senate Amendments 1, 2, 3 and 4.

PRESIDENT:

Senator Carroll has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2, 3, and 4 to House Bill 526 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Messages from the House.

SECRETARY:

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

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

Senate Bill 242.

Also inform the Senate that the House has adopted House Amendments 1, 12, 14, 15 and 16.

PRESIDENT:

All right, Supplemental Calendar. Introduction of bills.
SECRETARY:

Senate Bill 1558 introduced by Senator Demuzio.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. All right, if you'll turn to page 3 on the Regular Calendar, before we get to the supplemental, Senator Philip has requested that we go to the order...with leave of the Body, to the Order of Consideration Postponed for consideration of Senate Bill 1249. Please, read again the bill, Mr. Secretary.

SECRETARY:

Senate Bill 1249.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we adopt House Amendment No. 9 to Senate Bill 1249. As you know, we discussed this in a previous Session. I'll briefly explain it to you. It's a bond authorization for FY '86 and an...increase of four...47.5 million. The new cap would be 312.5 million. Also is the clean-up language to various tax providing for 1.55 transfer of sales tax money into Build Illinois for the tourism program. Also it amends the State Finance Act relating to the McCormick Place, increases from two hundred and sixty-five million to 312.5 for, of course, the annex. Be happy to

answer any questions. As you know, it takes thirty-six votes. I would hope we'd...over thirty-six votes.

PRESIDENT:

All right, any discussion? Senator Demuzio.
SENATOR DEMUZIO:

Thank you, Mr. President. I...as I recall correctly, this...this bill is...is in the same posture from that when we had left here once before, and as I understand it, it, in fact, still does provide for the bonding of film projects in the State of Illinois and I would like to ask the sponsor if...if, in fact, that is correct.

PRESIDENT:

Sponsor indicates he'll yield, Senator Demuzio. Senator Philip.

SENATOR PHILIP:

Yes, that is correct. It's inoperable and, as you know, the Governor does not intend to...use it. I spoke with him about this matter today. He says that he will meet with the four leaders and try to work something out reasonable to encourage the film industry to come here to Illinois to produce more films.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

I'd like to also ask you another question then relevant to the DuQuoin State Fair. Is there and how much is in this bond authorization for the DuQuoin State Fair?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Nothing.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, then I should ask, where is it? I've been around here for eleven years...

PRESIDENT:

House Bill 526, coming down the pike.

SENATOR DEMUZIO:

Thank you.

PRESIDENT:

All right, any further discussion? Further discussion? Senator Philip has moved the adoption of House Amendments 3, 3, 10 and 12 to Senate Bill 1249. Purther discussion? Senator Hall.

SENATOR HALL:

Will the sponsor yield for a question?

PRESIDENT:

He indicates he'll yield. Senator Hall.

SENATOR HALL:

Senator,...if I'm reading correct, it says here that the Department of Commerce and Community Affair already has...for ten years and they have a hundred and seventy-seven movies and productions in the State of Illinois. Why are we putting more on?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, this is a House Democrat amendment to my bill. There are some people on your side of the aisle would like to encourage the film makers to come to Illinois. This happens to be their program for encouraging film makers to come to Illinois. It's...it's inoperable. It's not put together properly. The...our legal staff tells us the Governor will not use it. He wants to sit down with the four leaders and work something out that makes some sense in regards to encouraging films to come here to Illinois.

PRESIDENT:

Senator Hall.

SENATOR HALLS

One other question. Senator, I'd like to know from you that...we have another bill following, House Bill 526, which we put fifty-two percent of need. Are you going to be supporting that?

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Well, I haven't supported it in the past, I don't know why I would today.

PRESIDENT:

Further discussion? Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was one of the fellows that also had certain reservations about this bill when it originally was presented in the Senate; and when the sponsor of the bill pointed out that there were certain items that were agreed to, I took the liberty and I called the Speaker of the House and I asked him what his thoughts were on this matter, because it was brought to our attention that supposedly these matters were discussed by the leadership, and the Governor at this point in time will not be supporting the bonding provisions to promote movie making in this State. Now the Speaker informed me that there was discussions of this entire bill by the leadership and included...in that discussion was the bonding provisions for movie making in this State and that was part of the In the school that I come from, an agreement is agreement. an agreement and you abide by that agreement and you don't make any excuses about it. You explain it to the best of your ability which I believe the sponsor has done and hope 182 H2 Conscionario

that the membership will understand that it's something that has to be done in order to accomplish an overall goal, and I would say ninety-nine percent of the matters contained in this bill are really matters that are truly needed and this is one matter that...possibly is not maybe the best approach as we see it, but it's an approach that hasn't been used, so we really can't make a total evaluation. And for that reason, I will be supporting this measure at this time and ask that you do so as well. Thank you.

PRESIDENT:

Any further discussion? Further discussion? Senator Philip, you wish to close?

SENATOR PHILIP:

Ask for you...favorable consideration.

PRESIDENT:

All right, the question is, shall the Senate concur in House Amendments 3, 9, 10 and 12 to Senate Bill 1249. 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? Mr. Secretary, will you poll our new members.

Senator Leitch. Senator Woodyard.

PRESIDENT:

SECRETARY:

Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 39 Ayes, 5 Nays, 2 voting Present. Senate Bill 1249...the Senate does concur in House Amendments 3, 9, 10 and 12 to Senate Bill 1249 and the bill having received the required constitutional majority is declared passed. If you'll turn to Supplemental Calendar No. 1, on the Order of Secretary's Desk Concurrence is Senate Bill 242, Mr. Secretary.

SECRETARY:

Senate Bill 242 with House Amendments 1, 12, 14, 15 and 16.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I am ultimately going to be moving to concur with House Amendments 1, 12, 14 and 15 and nonconcurring in No. 16. I'd like to briefly, if I might, run through the different amendments on the bill. As most of you know there have been some real serious questions with respect to the reorganization part of Senate bill...that we passed last Spring on educational reform, and I believe this bill attempts to get at some of those problem areas and let me walk through the amendments with you very briefly. Amendment No. 12 provides that if a majority of the voters in any affected districts voting in a reorganization plan fails to approve the plan then the plan is defeated. This is simply a technical amendment. Changes "any" to "each." Amendment 14 addresses the delay in the life safety work on school buildings until July 1 of 1998. This was a problem for schools that were mandated into some very radical changes in their buildings, and this will delay that process until they see whether or not they need those buildings after reorganization. Amendment No. 14 also addresses...and again technical in nature, puts ARGO in its...in its proper subregion. Amendment No. 14 also provides that the tax rates...the question of tax rate will be asked on the reorganization ques-Heretofore, it's concluded that there was no language sufficient in the bill to allow the tax rate question to be asked when the referendum question was asked and this will allow for that to take place. Further, Amendment No. addresses the...the minimum enrollment issues in that it takes those numbers out. And I think...Mr. President, I would be happy to respond to any questions that we might have on those three amendments.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Maitland has moved to concur with House Amendments 1, 12, 14 and 15. Discussion? Senator Berman.

SENATOR BERMAN:

Thank you...thank you, Mr. President. I stand in support of Senator Maitland's motion. I think that there has been a lot of debate regarding the numbers in particular, and I think that many of us have indicated that what we are concerned about is some flexibility in numbers but more importantly in a delivery of quality education at an economic and taxpayer saving approach. Perhaps this will alleviate some of those problems when the numbers are removed. I would have rather have debated it during the full Session but the House saw fit to adopt this amendment, so I join in...in urging the adoption...or the concurrence in Amendments 1, 12, 14 and 15.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Karpiel.
SENATOR KARPIEL:

Yes, thank you, Mr. President. Senator Maitland, I have a question on Amendment 12. Does that mean that if...when voting on the reorganization plan, if one district votes against the plan, the plan will not go into effect in any area of the...of the...consolidation area, or does it just mean that that one particular district will then be left out of the reorganization plan?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, Senator Karpiel, the...the total configuration in which that portion which voted in the negative exists would then be defeated, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

So one district could kill the whole reorganization plan?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

... yes, Senator Karpiel, that's an issue that's been debated and it's confusing. It...it only kills that configuration, not the whole plan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

When you're saying it only kills that...that configuration, what you're saying then is is that...that one district will then not be in the plan but the rest of the plan...the rest of the districts will be in the plan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Again, we have an overall group of configurations in a particular regional superintendents district. Okay? You're question is, if one district votes No to their particular configuration, that effectively kills that configuration but all the other configurations that exist in that regional district, assuming that they all vote in the affirmative, will stand.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

REEL #2

SENATOR KARPIEL:

Well, Senator Berman...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

If...if I might just...if I understand the question that Senator Karpiel poses, if I reside in District A and I go to the polls in April of '87, the way it presently...exists, and my school district votes No on the plan that affects my school district, and my district votes No, that plan that was presented to me at that election is dead. Am I correct, Senator Maitland? All right, that...I believe that was your question, and I think the...the answer was broader than your question that dealt with other parts of other...in the...in the educational service region. But I think what your question was is, if one district in a plan votes No, the plan is dead for the districts that were included in that plan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Karpiel.

SENATOR KARPIEL:

Thank you, very much. I have another question on Amend-ment 14. Could you read what you said before to jog my memory on what it was? It seemed to me there was a...I had a question on 14.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

14 delays until July 1, 1988 the life safety work. It also deals with the issue of...of the tax referendum; in other words, the...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

So, at the time...the way I understand the bill as it presently stands is that when you form a consolidation, that the tax rate will be the highest...the same as the highest tax rate of any district in the plan. But under this amendment, you would also be...as well as voting on the plan, you would also be voting on the tax rate that you would want? Would there be a choice of different tax rates or how would that work?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

No...no, Senator. We were concerned that...that there wasn't sufficient language to allow in the plan the question of tax rate to be asked, and we feel that anyone who's going to be voting on a possible configuration is going to want to know what that tax rate is going to be. That's a legitimate question and we think should be a part of the referendum issue, so they will...they will ask the question, the tax rate will be thus and so in the new configuration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Karpiel.

SENATOR KARPIEL:

And that tax rate that they would be voting on then would be the highest tax rate in that plan?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

No, that is not correct. It will be whatever they...elect to have that tax rate, it's just like a...it's a new consolidation. It's...it's...guaranteeing and assuring what that tax...they can make that tax rate whatever they

want it to be in all areas. There will be only one choice, obviously.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator...

SENATOR MAITLAND:

...again, that choice will be whatever the committee agrees it should be.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Purther discussion? Senator...Senator Geo-Karis.

SENATOR GEO-KARIS:

The sponsor yield for a question? I just want to clarify something. When we passed the bill last year, Senate Bill 730, we said, if I recall correctly, that if any school district did not want to get involved with the reorganization and...and the referendum failed in that particular school district, then they were out of it. Now, do I understand that this is still the law...still what you intend by your bill here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator, we have made that very clear in Amendment No. 14 and I think we've clearly made that...Amendment No. 12, I apologize, and also we've made that I think clear in debate this evening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

The reason I'm asking you is I...we don't have...those amendments on our desks, at least I don't have but that's why; otherwise, I wouldn't bother asking you. I just want to be assured that no school district of my...in my area will be forced into the plan and that's...I think you've answered my

question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Okay. So, as Senator Berman mentions, School District A votes No, now does this plan go back to the State Board of Education to try to work out any disagreements or any problems that these particular districts have, and then is it resubmitted to the...to the voters for another...another try? PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Yes, there would be an...an attempt to...to work out an agreement with...between the Reorganization Committee at the local level and...and the State board, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

So then we go back to the original legislation we passed last Spring in regard to that particular issue?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

That is correct.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

Senator Maitland, following up on Senator Watson's question, when the...if the first plan is voted down and goes to the State Board of Education for a review, can they change the taxing figure that would go to the voters as opposed to the numerical quotient or the boundaries of the district? PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator Welch, I... your... your question was with respect to the... to the tax rate. It would... it would be... first of all,... none of the amendments, you know, change what heretofore has been a part of that bill. That issue still remains the same as it was before... change that. Your question is, if... if a reorganization plan is defeated by referendum and then once again you attempt to work out some kind of an agreement with either... within that particular configuration or one that may perhaps have... failed adjacently, then the whole question of a new tax rate or the new tax rate in that configuration obviously would be debated by those involved, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

So, if a district is formed, it's voted down but the State Board of Education feels the reason it was voted down was because the tax rate for that new district was too high, the State board could recommend to the local consolidation district to lower that rate and try it again in the second election?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

I think the answer to that would be yes, they...they probably could, that would be a part of the recommendation. Now, obviously, they're going to have to look at the numbers to see if that would sustain the district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland, you wish to close? Senator Maitland.

SENATOR MAITLAND:

Two points, Mr. President. First of all, to explain Amendment No. 1 which is really not now on the bill. Amendment No. 12 actually deleted that but in order to expedite our machinery here, we simply are...concurring in that amendment recognizing...that there's no content to Amendment No. 1 at this point. Secondly, I did fail in my explanation to mention the ninety-day delay in the effective...when the plan has to be submitted and I apologize for that. That is a part of...of the bill. Other than that, Mr. President, I would move to concur in House Amendments No. 1, 12, 14 and 15.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur with House Amendments 1, 12, 14 and 15 to Senate Bill 242. 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? Mr. Secretary, would please call the names of the two new members of the Senate, please.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, none voting Present. The Senate does concur with House...with...with House Amendments 1, 12, 14 and 15 and the...Senator Maitland.

SENATOR MAITLAND:

Yes, Mr. President, thank you. I would now like to move to nonconcur in House Amendment No. 16.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, Senator Maitland has

moved to nonconcur in House Amendment 16 to Senate Bill 242. Those in favor indicate by saying Aye. All right. Senator...Senator, I...I...I asked if there was any discussion, apparently there is. Senator Maitland.

SENATOR MAITLAND:

Okay, I...thank you, Mr. President. House Amendment No. 16 is the amendment that...that eliminate...eliminated the mandate for the plan to include the abolition of coterminous...or...or it mandated coterminous boundaries in the configuration. In other words, grade schools had to have coterminous boundaries with the high schools.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...discussion? Senator Macdonald.
SENATOR MACDONALD:

Thank you, Mr. President. Well, very respectfully, I would have to disagree with Senator Maitland and say that that is the very heart of the objection to this new consolidation bill that we passed last year. It is causing no end to problems in my district, and certainly I don't believe that there is any justifiable reason that we cannot let local school boards, the parent-teacher associations and the others to thoroughly agree that if they have a good system and want to keep it that they can. Now, I know that the answer to that will be that they have a referendum and that the people will then be able to speak out at that time in a referendum. Unanimously, in my particular district...and it affects High School District 214 which is the largest high school district in Illinois, and I would...respectfully submit to you that there is complete agreement among the schools, the parents and the administrators, even those who would gain by this particular consolidation movement, that they are opposed to this plan and they do not think that the coterminous language in this part of the bill is what they want to see. would ask that we do vote for ... what is the amendment, Senator?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No 16.

SENATOR MACDONALD:

But I would suggest that...that those members who are having the same kinds of problems that I'm having in my district very seriously consider that this is a good amendment. PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Berman. SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of Senator Maitland's motion to Many of us have heard substantial debate on the nonconcur. question of reorganization. Many of us felt that the hours of debate that we undertook in July and June of 1985 in the passage of Senate Bill 730, before we move so quickly to undo it, required in a responsible action a time of deliberation by the House and the Senate as to whether the question of coterminous districts is important or not. There is a substantial amount of study that shows that the best approach to proper K through 12 program is where the high schools and the elementary schools can work together to give a uniform delivery of services all the way from kindergarten through twelfth grade, whether that be in a unit district or in a dual district. Unlike the question of the numbers...unlike the question of the numbers that in many types of debates overcame the question of the delivery of good...educational services, I would suggest to you that the question of coterminous districts has a great deal of good, sound argu-Now, I'm not saying that we shouldn't look ment behind it. at it a second time, but what I am saying by joining in Senator Maitland's motion to nonconcur is that we, the members of the General Assembly, in the few hours or even minutes that this issue is before us today have not given it the kind of deliberation and thought that it deserves. The question of the numbers...the more important question I would submit to you of the ninety-day extension of the submission of the plans from a June 30th deadline to a September 30th deadline makes sense so that we can address it in the Spring Session. That's the reason why I don't think we ought to throw out the issue of coterminous boundaries today. That's why I join in the motion to nonconcur, let us look at it, let us deliberate it, let us debate it, let us discuss it and reach a deliberative conclusion. We haven't had that opportunity today, that's why I think we ought to...on an oral roll call send it back to the House and do what we have to do today but nothing more and nothing less.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Maitland, you wish to close? All right. Senator Maitland has moved to nonconcur in House Amendment 16 to Senate Bill 242. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Conference Committee report on Senate Bill 147, Mr. Secretary. Supplemental Calendar No. 1 is Senate Bill 147.

(Machine cutoff)...Conference Committee report on Senate
Bill 147.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we adopt Conference Committee report on Senate Bill 147. The Conference Committee report strikes everything after the enacting clause and what it does is to allow the serving of liquor over at the Willard Ice Building under the control of the Department of Revenue. It's an earthshaking piece of legislation. I commend it to your favorable vote, be glad to respond to any

questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Schaffer.

SENATOR SCHAFFER:

The Department of Revenue where we collect all our taxes wants to serve alcohol. Are we going to...the taxpayers after they get the bill get to get a stiff drink? Why are we doing this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Being the major spokesman for the administration on many issues, they've given me this bill. They've...there are many community functions that they want to participate...that want to participate at the Willard Ice Building and the department and the administration feel that this is responding to the request of community groups, and so I have said that it's...it's nothing but good Americanism to have a drink with the community people over at the Willard Ice Building.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Schaffer.
SENATOR SCHAFFER:

Well, how can you argue against that, but I would point out maybe...maybe now and then one of those taxpayers probably deserves a free drink after what they go through in that building.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I rise in support of the Conference Committee report on Senate Bill 147. This matter was before us a year or so ago and was deleted out because we had not...yet seen the building. We...we afford the same opportunity for the State of Illinois Center, and as you and

I both know having attended a number of black tie and other functions there, it is an attempt on the part of the administration to afford the people of Illinois the opportunity to use these magnificent structures. I am told that the Willard Ice Building is absolutely gorgeous and they have a reception area, and in order to afford the people of Illinois and the various groups and organizations the opportunity to utilize it, they obviously would like the authority to afford them the opportunity to serve alcohol if they so wish. I know of no serious objection, I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 147. 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? Mr. Secretary, would you call the roll of the two new members of the Senate.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 10, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 147 and the bill having received the required constitutional majority is declared passed. House Bill 374, Mr. Secretary.

(Machine cutoff)...Conference Committee report on House Bill 374.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Last Session we made certain changes to the Cook County Pension Code. In order for these

changes to be eligible for qualified plan status under the IRS Code, the plan must comply with IRS limitations. This Conference Committee report simply ensures that compliance. Be happy to answer any questions; absent those, urge its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I do have some concerns about this particular Conference Committee report, because in reading the analysis it seems that what this does is to provide...it's 374, House Bill 374,...that the additional language is needed to clarify that employee annuity benefits shall not exceed ninety thousand dollars a year or one hundred percent of the average salary during the highest three-year period of employment. That's getting up there and I wonder what the...why in this particular case we're changing to...to do that. Why wouldn't they do just the same as every other employee? This is just for Cook County, the rest of us have to go to a deferred compensation program which is already set up in the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. I think Senator Rupp's comments are more aptly addressed to the bill we passed last Senate...last Session which was House Bill 17. Let me read in total this Conference Committee. "Notwithstanding any other provisions of this Article, no benefit payable under this Article shall exceed the maximum limitations on benefits provided by 'qualified plans' as set forth in Section 415 of the Federal Internal Revenue Code of 1954 as now or hereafter amended or any successor thereto." That is simply what this Conference Committee report does. What you're addressing,

Senator Rupp, I think would more properly be addressed six months ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rupp.

SENATOR RUPP:

I agree, but don't you also agree that this might trigger a...a rash of requests for every other pension group? This is what happens, we...we give a benefit to the outstate firemen and the next time Chicago firemen. I'm saying, you do it for them, you do it for us. I know that this...what this is needed for is by...in order to qualify this plan. It's just to qualify the plan through the IRS, but what I would like to have...this is new, this is something that we didn't know what the need was and we've just been in conversation been able to...to learn what this is. What I would like to ask for is a little delay and let's talk about it so we...so everybody can understand. There's a...there's a...there's a lot of misunderstanding about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...discussion? All right. Senator Lechowicz.

SENATOR LECHOWICZ:

I'd like to respond to Senator Rupp, if I may. As far as a hundred percent or a ninety thousand dollar lump sum, the Cook...County of Cook has had that provision for some time. In order to qualify and participate, the employee has to...have to...has to make an additional one percent contribution plus...one percent plus contribution into the retirement system. You would have to...you would have to be a hundred and ten years old in order to qualify at a hundred percent and ninety thousand dollar lump sum. Basically, you'd need thirty-five years of service...continued service and plus the additional employee participation in order to qualify...for that provision. As long as the county has been

in existence, unfortunately, no one has had the ability to provide for that type of a benefit for its employees. What Senator Degnan has pointed out is absolutely correct. The question in here is whether the IRS will approve the provisions that were passed in House Bill 17, that's the codification provisions in this 374. There is nothing to do with any additional benefits to the employees of Cook County without additional compensation of their own volition and their own contributions. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Nedza.
SENATOR NEDZA:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator Rupp, I believe if you'd take the Conference Committee report and starting at line 25 through 33, it says that, "No age of service annuity or age and service or prior service annuity combined in excess of sixty percent of highest salary of the employee and no minimum annuity in excess of the annuity provided in Section 9-134 as set forth as the maximum in any other section of this code or related to minimum annuities for county employees included under Article IX of this code shall be payable to any employee excepting to the extent that the annuity may exceed such percent or amount under Section 9-133 and 9-133.1, providing for the automatic increases after retirement." The way I read this, I think he's limited to the...the sixty percent of the highest salary for over the four years.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rupp.

SENATOR RUPP:

Well, if that's so, then why do we need all...what are we doing this for? It's already in there. What...what is this for?...all I ask, basically, is instead of talking and taking the time of the entire Body that we should have sat down and

talked about this before it coming to the Floor in the form of a conference report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator D'Arco. All right. Senator Schaffer.

SENATOR SCHAFFER:

Well, frankly, I may come at it from a slightly different angle. It basically says that the Cook County Pension System will comply with Section 415 of the Federal Income Tax...or Internal Revenue Code of 1954 now or hereafter amended, and I assume they mean amended by the Federal Government, not by us. And it would seem to me that while the standard right now might be ninety thousand dollars and a hundred percent, what happens if for some bizarre reason the Feds decide that it should be fifty percent and no more than thirty thousand? Do we not then have a question of abridging the pension rights of the Cook County pensionholders in direct contradiction of the State Constitution? And are we not in effect by passing this handing control of that pension system over to the IRS?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Degnan may answer that question in his closing remarks. Senator Degnan. SENATOR DEGNAN:

Thank you, Mr. President. I am led to believe that if that were to happen, we would have to deal with it legislatively here at that moment or around that time. Again, all we are trying to do here is make certain that those changes already granted by this Body last Session are in order and can be qualified plan status under the Internal Revenue Code. I seek your help in adopting Conference Committee No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the

first Conference Committee report on House Bill 374. 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? Mr. Secretary, would you call the roll of the two...new...new members, please.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Have all voted who wish? Take the record. On that question, the Ayes are 41, the Nays are 2, 2 voting Present. The Senate does adopt the first Conference Committee report on House Bill 374 and the bill having received the required constitutional majority is declared passed. All right. House Bill 526. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 526 in the Conference Committee report is the February version of the supplemental appropriation request of the Office of the Governor and the response of the General Assembly. What the bill will now do is to provide for some operating funds for the DuQuoin State Fair for 1.2 million dollars, provide some additional refunds for the Department of Revenue for unitary corporate taxpayers of fifteen million and forty million for the individual account. It will allow BOB to pay some debt service on the Build Illinois bonds for six hundred three thousand. It will provide the compensation that we had in error forgotten to do for the four new Human Rights Commissioners that we created by law some forty-five hundred. We...forty-five thousand, for excuse me. We provided a language change in the farm aid package suggested by the Governor. We once again have taken care of various local bands and choir to the twenty-five percent maximum that the Senate established for helping them to go to specific, special areas where they can...as a tourism

promotion go. We have provided some office equipment for the Osaka trip, the Governor noticed it was absent when he was there a few weeks ago, and we have provided once again for...fifty-two percent of need for...to allow those who are unfortunately on some type of assistance to have fifty-two percent of the minimum standard so that they can survive.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this and what it simply says is that this will allow people on this fifty-two percent along with the other good things that are in here that they will be able to get a twelve dollar increase, and today, you know, that doesn't even take care of that increase of the high cost of utility rates and for everything else. And as I look at this and see all the other things that we're doing and this is, as we said before, something that we should be doing, imagine that we got people today without heat, we have folks who have to decide between clothes and no clothes, food and no food, and I beg and plead with you that you do vote to adopt the Conference Committee report on House Bill 526.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 526. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Mr. Secretary, would you call the roll of the two new members, please.

SECRETARY:

Senator Leitch. Senator Woodyard.

PRESIDING OFFICER: (SENATOR DENUZIO)

Have all voted who wish? Have all voted who wish?...of course, Senator Senator Leitch is Aye. Have all voted who

wish? Take the record. On that question, the Ayes are 36, the...the Nays are 9, none voting Present. The Ayes are 36, the Nays are 9, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 526 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate...awhile earlier, I spoke with the Speaker concerning the...our refusal to adopt House Amendment No. 16 on...to Senate Bill 242 dealing with the subject of consolidation. The Speaker assured me the House would take that up, I am awaiting further word. So I would suggest that we again...we have effectively concluded everything else that the Governor and others thought was necessary. We are now only awaiting the consolidation action or reaction and we should know shortly. So I'd ask you to again extend your patience and stay with us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock, we have some congratulatory resolutions that...resolutions, Mr. Secretary. All right. Messages from the House.

SECRETARY:

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

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

All three...are congratulatory. House Joint Resolution 131, 132 and 133.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. All right. The Senate will just stand at ease.

PRESIDENT:

Messages from the House, Mr. Secretary.

SECRETARY:

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

Mr. President - I'm directed to inform the Senate the House of Representatives refused to recede from their Amendment No. 16 to a bill with the following title, to-wit:

Senate Bill 242.

They have requested a first Conference Committee and the Speaker has appointed the members on the part of the House. PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. Let's just take it out of the record.

PRESIDENT:

Take it out of the record, Mr. Secretary. Further Messages, Mr. Secretary?

SECRETARY:

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

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

House Joint Resolution 135, it's congratulatory.

And House Joint Resolution 136 which is commendatory.

PRESIDENT:

Consent Calendar.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Messages from the House...Messages from the House,...Mr. Secretary.

SECRETARY:

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

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

House Joint Resolution No.... 134.

(Secretary reads HJR 134)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 134 is the adjournment resolution. When we conclude our business this evening, which I assume will be very shortly, it calls for us to return to Springfield for the purpose of the Governor's Budget Message on March the 5th, at the hour of noon, and I would move to suspend the rules for the immediate consideration and adoption of House Joint Resolution 134.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. You've heard the motion. Senator Rock has moved to suspend the rules for the immediate consideration and adoption of House Joint Resolution 134. Discussion? not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of House Joint Resolution 134. Discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. House Joint Resolution 134 is adopted. Mr. Secretary, on the Resolutions Consent Calendar, with leave of the Body, we will add all congratulatory resolutions namely...in addition to those that have already been passed out and on...and printed on your desk, Senate Resolution 690, 692,...693, 694, House Joint Resolutions 131, 132, 133, 135, 136, House Joint Resolutions...all right. Secretary, are there any ... with leave of the Body, we will add those to the Senate Resolutions Consent Calendar.

leave granted? Leave is granted. Mr. Secretary, have there been any objections filed?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Joyce moves the adoption of the Resolutions Consent Calendar. Those...discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolutions Consent Calendar is adopted. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Unfortunately, we ran into a bit of a substantive snafu and so we are here longer than we had figured on being here, but I think we accomplished a great deal in one day, more than one would of thought at eight o'clock this morning. As the last order of business, I propose that we memorialize our friend and colleague, Senator Bloom, with a death resolution. I would ask the members to please be in their seats and I'd ask the doorkeepers to keep the doors closed and ask all to be attentive.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senate Joint...Senate...Senate Joint Resolution 110, Mr. Secretary.

SECRETARY:

Senate Joint Resolution 110 offered by Senators Philip, Rock, Leitch and all Senators.

(Secretary reads SJR 110)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator... Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I know you all felt the same way that I did about Senator Bloom, better known as Boomer. He was a...in the

true sense of the word a character, a guy that always made this Body much more enjoyable. He was fun, he always had a great sense of humor. I think he was know for his nicknames. He used to call the Governor, His Tallness; he would call Senator Bowers, Popcorn; he referred to me as the Big Elephant or Pate and he always was a great guy to be around. I know you're going to miss him the way we're all going to miss him and, Prescott, we know you're up there and looking down on us and smiling at us and you certainly have been a great asset to the Illinois General Assembly and to Illinois and to Peoria.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Shakespeare once said that death has many shadows, and I suggest, Mr. President and members, that as we collectively begin the second year of the 84th General Assembly and go about the people's work, there will be, I am sure, many shadows cast from our colleague, Prescott. The shadow of his wit, his compassion, his intelligence, his zest for life, I think will follow us through this Session; and yet if we truly remember Press with his humor and his invaluable contributions to our collective work and our individual effort, his shadow will be, I suspect, one of the joys of public service and we should always remember and emulate the special dedication that he had to the vulnerable in our community. We learned a great deal from our friend and he will be sorely missed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip moves to suspend the rules for the immediate consideration and adoption of Senate Joint Resolution 110. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Philip

and Senator Rock both move the adoption of Senate Joint Resolution 110. Those in favor will all rise. The resolution is adopted. Senator Rock now moves that...any further business to come before the Senate? All right. Senator Rock moves that the Senate stand adjourned till...the hour of...of noon on March the 5th, 1986.

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