

84TH GENERAL ASSEMBLY

REGULAR SESSION

June 30, 1985

PRESIDENT:

The Senate will come to order. We will defer the prayer and the reading of the Journal until one o'clock when the members arrive. Mr. Secretary, 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 refused to concur with the Senate in the adoption of their amendments to House bills with the following titles together with Senate amendments:

House Bill 62 with Senate Amendment 1.

House Bill 529, Senate Amendment 1.

993 with Senate Amendment 1.

1070 with Senate Amendments 1, 2 and 4 through

7 .

1097, Senate Amendments 1, 3 and 6.

1924, Senate Amendments 1, 2 and 3.

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

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

Senate Bill 212.

I am further directed to inform the Senate the House of Representatives requests a first Committee of Conference to consist of five members from each House to consider the differences of the two Houses in regard to the amendment, and the Speaker has appointed the members on the part of the House.

A like Message on Senate Bill 796 with Senate Amendment 1.

A like Message on Senate Bill 813 with Senate Amendments 1 and 2.

A like Message on Senate Bill 856 with Senate Amendments 1 and 2.

And a like Message on Senate Bill 859 with House Amendment 1.

PRESIDENT:

All right. Senator Philip moves that the Senate accede to the request of the House with respect to Senate Bills 212, 96, 813, 856 and 859. All right. The Senate will stand in Recess until the hour of one o'clock.

RECESS

AFTER RECESS

PRESIDENT:

The hour of one having arrived, the Senate will come to order. Prayer this afternoon by the Reverend Cecil Koop, St. James Church, Riverton, Illinois.

REVEREND KOOP:

(Prayer given by Reverend Koop)

PRESIDENT:

Thank you, Father. Reading of the Journal. Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I move that the reading and the approval of the Journals of Tuesday, June 18th; Wednesday, June 19th; Thursday, June 20th; Friday, June 21st; Monday, June 24th; Tuesday, June 25th; Wednesday, June 26th; Thursday, June 27th; Friday, June 28th and Saturday, June 29th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Smith. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and it is so ordered. 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 concur with the Senate in the adoption of their amendments to House bills with the following titles:

House Bill 1934, Senate Amendment 3.

1962, Senate Amendment 1.

1974, Senate Amendment 1.

And 2434 with Senate Amendments 1, 2, 3, 4 and 5.

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

Mr. President - I'm directed to inform the Senate the House of Representatives has refused to recede from their amendments to Senate bills, and I'm further directed that they request first Committee of Conference and the Speaker has appointed the members on the part of the House on the following Senate bills:

17, 95, 98, 114, 158, 207, 447, 448, 497, 513, 537, 560, 623, 653, 730, 830, 882, 984, 1037, 1064, 1095, 1111, 1152, 1267, 1287, 1289, 1303, 1388 and 1437.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On the Order of Resolutions, Mr. Secretary, have any objections been filed to our Consent Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We do have, what, Senate Joint Resolution 82 that's been added. Senator Rock moves for the adoption of the Consent Calendar. Resolutions. With...Senate Joint Resolution 82 added. Is there objection? If not, those in favor indicate by saying Aye and those opposed. The motion carries and the resolutions are adopted. We have...Senator Chew has brought us an old-time friend of his, one that's helped him many

years ago, and would like to introduce him at this time.

SENATOR CHEW:

You know, ladies and gentlemen, we've operated on a theory over the years that Abraham Lincoln was the freer of the slaves. Well, true or false, the fact is that the slaves were freed, but we had to bring you a reminder and we have for you this morning the actual, authentic Abraham Lincoln, Harry Hawn.

MR. HARRY HAWN:

(Remarks given by Harry Hawn)

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Good morning. I wanted to ask Mr. Lincoln a question but he got off of the Podium. I wanted to ask him after meeting Senator Chew would he have still made that decision.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We have an enormous amount of work to do today. There are conferences going on and I have been involved in a leadership meeting since about nine o'clock this morning. The House, it appears, has come to a virtual standstill. So, my suggestion, Mr. President, is that we go through the regular Calendar and the Supplemental Calendar, see where we are and then start right at the top and go through one by one.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock, that's a very good suggestion. We will start on page 2 on the Secretary's...Desk for concurrence. This is final action on Senate bills. WCIA-TV requests permission to videotape the proceedings, Carol Fowler from WCIA. Is there objection? If not, leave is granted. On the

Order of Secretary's Desk for Concurrence, Senate Bill 24,
Senator Joyce.

SECRETARY:

Senate...Senate Bill 24 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Channel 2, also seeks leave to videotape. Is leave granted? Hearing no objection, leave is granted. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I move that the Senate do concur in House Amendment No. 1 to Senate Bill 24. House Amendment No. 1 deletes the language "attempt" in line with the reasoning that the inchoate defense of attempt is already covered in the Illinois Criminal Code.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 24. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 24 and the bill having received the...required constitutional majority is declared passed. Mike...well, Mike Flanner...we just gave WBBM-TV permission to record. Senate Bill 75, Senator Rock.

SECRETARY:

Senate Bill 75 with House Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 3 to Senate Bill 75 did in fact delete everything after the enacting clause, and what the

bill does now as before us with House Amendment No. 3, this would extend the 1983 unemployment insurance solvency package for an additional six months. As you recall, when the General Assembly with the help of organized labor and the organized business community put together the unemployment insurance solvency package back in 1983, it was to be in effect for a three-year period; namely, till July 1, 1986. Subsequent to our action, the Congress of the United States in 1983 set a little different guideline. So, the fact is, that in order to qualify for the third year, the State must extend our solvency package for an additional six months. If we do not...if we do not, we will incur an additional twenty-seven million dollar liability from the General Revenue Fund, which payment...interest payment would...otherwise be due and owing on September 30th of this year, and the employer or the business community would incur an additional...it is estimated forty-eight to fifty million dollars in additional taxes, payments. Now I am aware that the...the United Auto Workers in particular are opposed to this six-month extension. I spent well over an hour yesterday meeting with the representative from the United Auto Workers and their point, frankly, is a valid one in that three years ago we had an agreement, and under the agreement business was to contribute and labor was to contribute to the extent that the benefits were to be stabilized if not lowered. That fact is the business community in the judgment of the United Auto Workers has not contributed its fair share under that agreement, and before they are willing to agree to a six-month extension, they want to get...reestablish the parity that was intended. Fact of the matter is, this is the eleventh hour and we simply don't have the time. Absent this activity, the State will incur liability of an additional twenty-eight million dollars and the business community will incur forty-eight to fifty million dollars. I explained that to the representa-

tive of the UAW, I understand their concern, but our concern, I think, is to protect the integrity of the General Revenue Fund in particular, and so I move to concur with House Amendment No. 3 to Senate Bill 75.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senator Rock, I apologize, I heard most of what you said but I didn't hear...I didn't hear the explanation of what it is we are doing for the next six months. We're extending something for six months, what is it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rock. Let's have a little order. This is a very important piece of legislation.

SENATOR ROCK:

All right. Let me...let me start over. We are extending for a six-month period from July 1, '86 to January of '87 the unemployment insurance solvency package which we put together back in 1983. This, it is felt necessary to be done because of subsequent congressional action which allows those states...as I understand it, allows those states that have made an effort in terms of absolving their debt to make the system again solvent. If, indeed, good faith is shown and...and the statistics prove that we have made a significant contribution, as we did make, then the employer is entitled to a credit on the penalty, the penalty is lessened to the tune of about forty-eight to fifty million dollars and the interest that is otherwise owing to the Federal Government can again be deferred. If we don't do anything...if we don't do anything, the agreement is still in effect until next July, but the fact is, we will owe the Federal Government an additional twenty-eight million dollars in interest on September 30 and the employers will pay fifty million

dollars more than they have to. So, I think,...even though there is some justifiable concern on the part of the United Auto Workers, I explained to them, I hope, the reasonableness of the position I have taken, that we...in order to protect the General Revenue Fund and to protect the employer community, this is something we simply have to do, and so I'm moving concurrence in House Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I'd like...ask leave to have my name removed as a sponsor of Senate Bill 75.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is there discussion? Hearing no objection, leave is granted...the question is, shall the Senate concur in House Amendment...Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. While Senator Rock's motion is probably the...the most responsible action for us to take on Senate Bill 75, I do think it's important though that...for the record that I speak to the...to the process again, because it appears to me that the whole process by which we...arrive at decisions on agreed bills has broken down. It is true that we must go on and resolve this issue and...but I would hope that in the future that those persons involved in that process, the leadership, would, in fact, alert their memberships before they sign off on agreements because it just causes all kinds of problems, and to ignore legitimate concerns of one group over the objections of...of others, it is unfair and we cannot call this an agreed process. So, I would just like, for the record, to say that this is, in fact, not an agreed bill and that United Auto Workers does have a legitimate concern, although, this...Senator Rock's motion is a legitimate

*SB 259
concurrency*

motion and probably the most responsible approach to this problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 3 to Senate Bill 75. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are 1, none...and 4 voting Present. The Senate does concur in House Amendment No. 3 to Senate Bill 75 and the bill having received the required constitutional majority is declared passed. WAND-TV from Decatur requests permission to videotape today's Senate proceeding. Is...is there objection? Hearing none, leave is granted. Senate Bill 147, Senator Berman. Senate Bill 206, Senator Sangmeister. Senate Bill 259, Senator Bloom.

SECRETARY:

Senate Bill 259 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, fellow Senators. I'm going to move that we concur in the two House amendments. Senate Bill 259 with these amendments addresses a situation of hostile takeovers. Under present law, you have certain raters that will offer a premium price for stock up to, let's say, thirty or forty percent and get control of the company, and then tell the remaining shareholders that...they'll force them out or they can buy the...the stock at a much reduced price. What this does, it adds a fair price requirement to the second step in takeovers and assures equal treatment of all shareholders in corporate takeovers. The other amendment represents a little bit of controversy and what it does it directs...or permits, I should say, the directors...the board of directors of a corporation to consider the effects of

their action upon the communities in which the corporation is located and on the employees, suppliers and customers. It raises the standards somewhat of behavior of directors. Now, I'll answer any questions you may have, otherwise, I would seek its adoption.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 259. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 259 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. The next five bills are appropriation bills. I think the...request ought to be, we'll get back to those later. The budget conferees are still meeting.

PRESIDING OFFICER: (SENATOR SAVICKAS)

That request is in order. Senate Bill 551, Senator Lenke. Senate Bill 658, Senator Netsch. Senate Bill 833, Senator Etheredge. Senate Bill 970, Senator Lemke.

SECRETARY:

Senate Bill 970 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lemke.

SENATOR LEMKE:

I move to concur in House Amendment No. 1. This takes out the...recovery of the state's attorney putting a lien on the property. I think it's...it's not what we want but..I always felt that with the liberal House Judiciary Committee half a loaf is better than none and I'll accept the amendment.

SB 1021
Concurrent

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 970. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 970 and the bill having received the required constitutional majority is declared passed. Senate Bill 1021, Senator Netsch.

SECRETARY:

Senate Bill 1021 with House Amendments 12 and 13.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would like to divide the two amendments, if I might, and address myself first to Amendment No. 12. With tears in my eyes, I move to concur in...I move that the Senate concur in House Amendment No. 12 to Senate Bill 1021.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not,...

SENATOR NETSCH:

May I...may I address it?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Oh, yes.

SENATOR NETSCH:

It is final...it will be shortly final action. So that's why I would like to have some discussion if I might. The reason why I am making the motion to concur rather than the motion that I guess I would have preferred to make which was to nonconcur, I think is for two reasons. One is that at this stage of the legislative Session with a bill that is this complicated and this important and that was this diffi-

cult to put together, I simply do not want to risk a Conference Committee, and the second reason which all of you will recognize and understand is that I...on a nonconcurrency motion, I simply didn't have the votes. Now,...there are a few points I would like to make because I...this is an extremely important bill and an extremely important amendment, and I would like to make clear what it was that we were trying to do and what the amendment that the House put on has in fact done. There is no question that the single, most important issue that actually affects rates, particularly electric rates, was this issue of excess capacity; in fact, the provision dealing with excess capacity is really the only one that had any direct relationship to the amount that we will be paying in in the future. That is clearly why it became the major focus of discussion, despite the fact that there was a great deal of...there were many other provisions in the bill that were also important. That...it is the excessive capacity which the utilities currently have and it is excessive capacity and it's going to be more so that your constituents are paying for right now and will continue to pay for at a very high level, and I should make it clear that those ratepayers are not just our voting constituents, who I think are the most important, but it also...the businesses of the State. We have the highest rates in the midwest and they're going to get higher and we are paying a terrible price for that in terms of our economic climate in the State of Illinois, and remember that there are still some terrible shocking rate increases that will be coming in the future, almost all of them the result of the nuclear power plants that will be coming on line. True, many, many months of hearings and deliberations that the Joint Committee on Public Utility Regulation went through...I'm...I was about to say endured and that was the committee that was appointed by all of you to review the utility law. We heard over and over

again that there had been no effort to address the question of excess capacity on the part of the utilities or the commission. The utilities continued to stand by their inflated estimates of economic and energy consumption growth, and even...even if their original estimates for need in the future were justified, after a period of time it became clearly evident that they were not justified and, yet, they were not changed, and one reason why they were not changed was the commission did not sit in judgment on those estimates. It quietly acquiesced in whatever the utilities asked in the way of construction and building authority. That is why we ended up with what we have now today in the way of excess capacity and excess capacity still to come on line, there was no commission oversight. That is also why we on the joint committee wrote into the law the very explicit directions that we did, because we were addressing the question of...of inaction...a decade of inaction on the part of the utilities and the oversight. And that is why when the bill passed the Senate it had a very clear mandate to the commission to consider excess capacity, it had a precise and specific definition of what constituted excess capacity and it had a very precise remedy. The House did not agree with what we did and I strongly disagree with what the House did, but at this stage, it is more important...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Let's have a little order. Senator Netsch has worked long and hard on this legislation and I think she's entitled to some order and some consideration.

SENATOR NETSCH:

Thank you, Mr. President. But at this stage, it is much more important to get the bill passed and to get the commerce commission committed to the proposition that it must in the future take into account excess capacity. And, so, while Amendment No. 12 is not as precise, it is not as detailed, it

is not as mandated as I would have liked and a number of us would have liked, I think it does reaffirm...it clearly reaffirms the commission's existing authority to consider excess capacity and to adjust rates in accordance with its findings on excess capacity; and by writing into the Statute an explicit provision that deals with excess capacity, I think that the General Assembly is now sending to the commission as well as to the utilities but particularly to the Illinois Commerce Commission a clear warning that it can not continue its inaction on this, the most important issue with respect to rates in the entire regulatory process. The mandate is there, it is clear, the commission must act, and it is for that reason that I move to concur in...Amendment No. 12 to Senate Bill 1021.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have Senator Joyce, Sangmeister, Poshard and Hall and Bloom seek recognition and now Jones. Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Could I have the sponsor...answer some questions, please.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will.

SENATOR JEROME JOYCE:

All right...it seems to me in listening to your description of why you're doing this that you shouldn't be doing it, and, I guess, I want to know...you do admit that right now currently the commerce commission has...the power to determine that excess capacity exists?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes, there is nothing in the existing law which in any way prevents the commission from doing that and...and it is quite clear, because it has the total regulatory authority

with respect to...to rates that it could do it. Now the fact is, and...and I...this may be your next question, Senator Joyce, the fact is that it has not done that. With the exception of one small case in 1982 involving CIPS where there was a...built into the rate adjustment a...what really amounted to a recognition of excess capacity, the commission has other than that steadfastly taken the position that it shouldn't do it, there is no such thing, it oughtn't to do it and so forth.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, that's...that's correct, they've...one time they tried to do it...isn't it also true that Iowa, Illinois gas and electric rates have recently been...the commerce commission refused to adjust their powers in fact...inspite of the fact that they've got sixty percent over capacity?

PRESIDING OFFICER: (SENATOR SAVICKAS)

AP requests leave to take still photos. Is leave granted? Hearing no objection, leave is granted. Senator Netsch.

SENATOR NETSCH:

That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

And we're not doing anything here to change what is actually in the law now?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR JEROME JOYCE:

...well,...you know, you say no, but...but really we are just rewriting it and recodifying it saying that, you know, you better do it or...or what?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Well,...I hope we'll draw and quarter of the members of the commerce commission if they do not now abide by this. I think there is a difference though, Senator Joyce, and this is part of what I had to consider in making a motion which I know you do not agree with, and that is that there is now spelled out in...in...not the precise mandated terms that I would have liked, but in very explicit terms the commission's authority to deal with the issue of excess capacity and to adjust rates accordingly. And it seems to me that what the commission has been able to get away with these last few years,...except for that one incident saying, you know, we don't think it's an issue, it's not important or...or we shouldn't do it or whatever, it simply cannot do that any longer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I think what...what we are proving is that this General Assembly doesn't have any teeth, that CUB doesn't have any teeth and we are proving that the utility companies can get away with whatever they want to. They can continue to...to build and profit at the expense of the ratepayers. I think if ever we had a chance to do something that would be meaningful for all of the people in this State, it is now and I think we have forfeited that chance, I think that we have turned this over, I think the utility companies and the commerce commission must be laughing at us. We went through...Senator Netsch, you did, and the...the joint commission did, they went through lots of hearings, came to our committee in this Senate and amended the bill...had fourteen hours of hearings with the Senate Committee and we

really believed that we were doing something that wasn't a whole bunch, it wasn't a lot, but it was a little bit of something. It would have stopped the...the Commonwealth Edison rates from going up forty percent in the next couple of years, Illinois Power rates from going up seventy percent in the next year or two. It wouldn't have prevented all of that increase but it would had some kind of an impact, and it would have told the utility companies, you'd better do a better job, you had better...be better managers and you'd better use better planners...and we didn't do that. We have completely, in my opinion, capitulated on this and I think it's a shame. I think it's a real shame that...at least the people on this side of the aisle who are purported to represent the people in this State, the people that don't have the large lobbyists representing them, I think we've turned this completely over to the utility companies and the commerce...a commerce commission that hasn't done anything in the past, and we're saying, but we're going to be watching you, and you see how we're watching them. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

...Senator Dudycz, for what...purpose you rise?

SENATOR DUDYCZ:

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

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Dudycz, that motion is in order, has moved the previous question. We do have Senator Poshard, Sangmeister, Hall, Bloom, Jones, Collins, Chew and Geo-Karis have sought...and Coffey that have sought recognition before the motion. And we would like to take this time to recognize one of our colleagues that's with us today up in the gallery on the Democratic side. Senator Watson, would he stand and be recognized. Senator Poshard...oh, Channel 20 requests permission to videotape. Is leave granted? Leave is granted.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I reluctantly rise in support of this concurrence motion by Senator Netsch. This is a difficult issue for me because we have at stake coal interest in my end of the State as well as consumer interest and utility interest. That bottom line, I feel this issue is an issue of accountability. It seems to me that it should be no great problem for a utility company to come before the Illinois Commerce Commission and justify the need for what the public would perceive at least to be the production of an enormous amount of excess energy which increases the cost of energy for every consumer in this State. No one in this Chamber is against a utility company making a reasonable profit for its shareholders, no one is against the utility company having the ability to meet the demands of an emergency nature or expanded industrial use. This is not a cap that we talked about in this Senate amendment, it's only a recommended goal above which we are simply asking a utility company to justify the need. This is an issue of accountability, is that so wrong? How could we possibly believe that the Illinois Commerce Commission, which has been more than fair to utility companies in the past, would not grant permission for the production of excess generating capacity above the twenty-five percent goal if it was justified? We talk about sending negative messages to perspective industry in this State, what kind of message are we sending to consumers in this State? This is the age of accountability. We say to our teachers, be accountable and we pass educational reform to enforce that accountability. We say to our doctors and lawyers in the case of malpractice to be accountable and we pass legislation to...enforce that accountability. We say to the citizen on the street, be accountable with respect to the obedience of the laws of the land and the taxes that we enforce upon you for education or

for infrastructure rebuilding or whatever. In this age of accountability, can we say be accountable except with respect to utility companies? We can't even say that there is a recommended goal for the production of energy in this State. We are told that it is not fiscally prudent for a utility company to have to justify production above the twenty-five percent level. I'm sure that hundreds of thousands of people in this State do not feel it is fiscally prudent to pay the kinds of utility bills that are prompted by unrestricted freedom of utility companies to set production and rates in this State. To whom do those consumers turn to protect their interest? They have to pay the rates, they have to subscribe to a monopoly enterprise. They depend upon us to protect whatever right they have to fiscal prudence. There are too many good things in this bill to cause us to kill it, but it seems to me on this one issue, we could have brought some accountability to the public utility reform in this State. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. I rise in opposition to this motion to concur, as futile as that opposition is obviously going to be. I happen to agree I...it's interesting we're hearing speeches here about how bad the legislative process is but we're all going to vote to concur, because I guess that is the bottom line of what we're going to do, but I must say that in my years that I have been down here I would like to think that the legislative process has worked. It has absolutely failed in this piece of legislation. It has always been my position that the utility companies on the excess capacity issue should in no way have to assume all of the responsibility for what they were led to...to believe was the right thing to do by the Illinois

Commerce Commission and went along with their rulings. However, at the same time, and in fairness to the consumers, there should have been some responsibility on the stockholders to share some portion of this excess capacity. For this bill to leave here with it being all pro-utility and nothing for the consumer is wrong, and in that respect, I certainly agree with Senator Joyce and we have failed in our responsibility here today. I would ask you to think about that and we should really nonconcur, send this back into a Conference Committee and let's work out something where the utility company assumes at least some responsibility along with the consumer, and I urge you to think about that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in opposition to this and Senator Sangmeister has expressed it well. There's no reason why that this should be that the consumer should assume all this. I'm going to be voting No and I hope we can force this into a Conference Committee, and I'd like to ask others to do likewise.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Why, thank you, Mr. President. As one of the sponsors of this bill, I rise in support of House Amendment No. 12. We've gone through a period of compromise on this...before I get into this, I...I would ask Senator Netsch, isn't it true that the Senate version of Section 9-215 on excess capacity included provisions intended to prevent utilities from unjustifiably retiring or mothballing plants using Illinois coal?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes, Senator Bloom, the exact sentence was...and this was in the version that was passed by the Senate. "The commission shall review any proposed retirement, significant derating or other reduction of capacity to determine whether such proposed action would unjustifiably reduce utilization of Illinois coal." That sentence is no longer in the amended version of Senate Bill 1021.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

However, doesn't the bill still require the commerce commission to prevent such action where it is not justified by virtue of Section 9-509 and Section 9-402?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes. I think that is...is more than an...an accurate statement. The one provision effectively requires that any kind of modification of fuel source be reported to the commission and subject to commission approval, and the other section which deals with the planning process also requires a consideration of the...the kinds of plans that are being made and their impact on the utilization of coal. So I think it is...it's fair to say that although a very explicit sentence was eliminated from the section that there...there is still a mandate to the commission to take into..to strong consideration the affect on the utilization of Illinois coal.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Yes, thank you, to the bill and why I...I rise in support of this particular amendment. We've gone through this proc-

ess, the sponsors who were on the joint committee, for eighteen to twenty months, an arduous process, trying to...with great good intentions trying to modernize the Public Utility Act. We achieved probably more consensus from the telecommunications bill than we have on this bill, but this amendment, I didn't get my way. I wanted to...I wanted to have...mandate to sell the excess generating...the electricity of the...excess generate from the excess generating capacity on the open market to really force a lot of these monopolies to start spreading that around and I was...I didn't win. And, so, this question is obviously closely divided but some of the prior speakers get up and speak as if somehow the world is going to end and that's just simply not the case. And the case is that the...the consumer is well-served...well-served by this particular amendment. Granted, we didn't get all we wanted; however, still, you have to deal with it on a case-by-case basis, as the present amendment does instead of some kind of Procrustean formula that...because it might apply to one utility must be applied to all. The fact of the matter is that with this amendment, 1021 is still a strong consumer oriented bill, make no mistake about that, and I see no reason why everybody on both sides of the Floor cannot support it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President and members of the Senate. I rise in opposition to the motion to concur in House Amendment No. 1 to Senate Bill 1021, and I'm somewhat surprised but not shocked at the motion because this has happened in the past. Someone must...Mr. President, I can barely hear myself talk with all this noise...someone on this Floor must rise up on behalf of the small consumers across this State. We cannot give the consumers a pie in the sky and tell them to eat it,

because you know and I know that this bill is not in the best interest of the consumers. But according to the sponsor of the bill, you can't have anything, so if the Illinois Commerce Commission currently has these powers, what you are saying to the consumers, that we're not going to hang you from a tall tree, we're going to hang you from a short tree and this is what this amendment does. It hangs the consumer from a short tree and the bottom line is the consumer gets a bad deal, he's dead, he's screwed in Senate Bill 1021. Those individuals on this side of the aisle who has always been an advocate for the consumers, now is the time to stand up and...and vote against this motion, but let's not give them that pie in the sky and pretend that you are helping them when you know, in fact, that this bill screws the consumers, the little people who pays those consumer bills, and when those bills, rise up, you're going to tell them to go to the commerce commission. If the commerce commission has the power right now and they have not acted, what do you...what...what do you think they're going to do if we pass this legislation? They're going to continue to act as they have in the past and I urge a very strong No vote on the motion to concur.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I doubt if I could add very much to this discussion as those who have rose in opposition as I am to this bill have already said before me. But let me say that I...I think all of us have to compliment Senator Netsch and those who have worked hard over the past months to try and come up with a meaningful utility reform package, and for that, I think all of us are grateful and...and the citizens of this State are also grateful that they had the wisdom and compassion to...and

devoted and had the dedication to devote their time and energy of trying to do this. However, they have not accomplished what they set out to do, and for that reason, I don't think that we should, in fact, concur to this motion because this is probably one of the most critical issues to more people and more people are concerned and involved in this issue than any other issue before this General Assembly this year. The other thing I think is that this issue can, in fact, have some more time...there is time because the agreement...the current regulation does not terminate until December of this year. This reform for the sake of reform is no reform at all and this is a case where we're going on and passing a bill for the sake of reform more than for the sake of progress, and I think reform that does not have the necessary ingredients to ensure positive results is no reform at all. I think myself and many others over the years have been constantly passing legislation...or putting forth legislation each year because the commerce commission and its current rules and regulation lack the teeth and the power to do an effective job to protect the...the consumers of this State; and to sanction already existing laws, what this particular bill does more than anything else is really it taken no action at all, because we can wait and...and have some time come Fall and to take a very careful look at this issue when we have gotten rid of some of the cloud of all of the other hundreds of reforms that this legislative Body is attempting to do this year. We cannot change the world in one Session and we ought to recognize that, and we should not worry about what the media is going to say after we leave here because the people...it is no consolation at all to the people of this State, and so whether or not the media think that we have act responsibly by going on and passing this bill and the people of this State find that come Fall they have to make a choice between sleeping or heating

their...their...their houses, that is not fair and this is not reform at all, and for that reason, I'll ask for a...nonconcurrency to Amendment No. 12.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew.

SENATOR CHEW:

I suppose would say why and why not on this issue. If Senator Netsch has moved to concur with this issue, I will stand with Senator Netsch, and the reason I will stand with her on this particular acceptance is because we realize if we don't do anything, everything stays as status quo. It's a hard decision but there are areas that we should realize as human beings, utility companies are built and owned by people like us, I don't happen to own any stock in them. But people invest into entities for a purpose and the purpose is a profit, and I would hate to see us try to stymie that investment into something that we want which is not profitable for the investors. I'm sorry to have to part company with the previous two speakers, but in this instance, I'm voting my conscience and I will be voting to concur with that amendment.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I am glad that the Senator...the...across the aisle has moved to concur with the amendment, because I think the best way to tell you that the cap that has been removed is more effective is by citing to you a statement made by Tom Nader, chairman of the Illinois Building Trades Council, in the Chicago Sun Times of the June 17th edition. Mr. Nader says, "...discouraging excess generating capacity will result in the utilities constructing smaller, nonefficient plants while they find creative ways to retire fully depreciated but

still fully usable existing facilities. This will actually increase utility operating costs and increase rates. Illinoisans will lose jobs in commerce and industry tightens their belts. In job creating, economic development will be blown right out of the water." I'm certainly glad the cap went on. Now the cap is off...it was not on, rather...and if the cap had gone on, it would have probably increased the cost of the consumers by a hundred and seventy million dollars. I might tell you that certain things in the bill, 1021, which I thought were good are still in there. One thing is utilities will be required to submit plans to meet our future energy needs and it does codify the need for review excess capacity by the Illinois Commerce Commission. Another thing is...there's the office of public counsel created to represent consumers in proceedings before the Illinois Commerce Commission and in court. The Illinois...the Illinois Commerce Commission is directed to investigate possible utility overcharges and estimated bills. And another point that I think is very good, it protects the interest of Illinois coal and its priority consideration for further electrical generation. I might tell you that some of the...groups that are for this bill besides the chamber of commerce and the business groups are the Illinois Building Trade Conference, the Illinois Brotherhood of Electrical Workers and Local 148 of the International Union of Operating Engineers. So this bill is not being...supported just by business, it's also being supported by labor with some common sense. I voted Present when the original bill left here but, fortunately, it has been modified so...so I can live with it. I've probably had more mail on this bill, over two thousand pieces, and I can tell you ninety percent of the mail was against the bill as it was when it was first introduced in this House. I might tell you further that half a loaf is better than none. I think this is a step in the right direc-

tion, I support the concurrence and I urge everyone else's support...because it does help the consumer as well as the ratepayer.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Coffey. There was a motion for the previous question. All the speakers have concluded. With that, Senator Netsch is recognized to close.

SENATOR NETSCH:

Thank you, Mr. President. To those who have spoken against the concurrence motion, and I have great sympathy with your point of view, let me say that it is not the bill and it is not this amendment, Amendment No. 12, which have in the past or will in the future hurt consumers. In the past, it has been the mismanagement or, perhaps, at very best, the misjudgment of the utilities and most of all the inaction of the commerce commission which has put us into the position that we are in right now. If this whole bill even with the amended...excess capacity provision had been in effect ten years ago, we would not be paying the rates that we are now. So, it seems to me that...that one of the most critical things is to make sure that that kind of...of misjudgment, mismanagement and acquiescence by the public regulatory body is not permitted to happen again. There is no question, Senator Joyce, that with the bill as it is now, with the...excess capacity provision as it is now, with the very explicit provisions removed, that it will be more difficult for the office of public counsel, for CUB and for the other consumer interveners. They will have a more difficult time with this version than they would have with the version that we passed out of the Senate, but that means one thing that is absolutely critical to this whole debate, all of the other provisions that are in this bill, the procedural reforms with respect to the commission are absolutely vital. They are not as sexy as the excess capacity provision, they

are not as well understood as the excess capacity provision, but they are the things that are going to make it possible to make the commission do the job with respect to excess capacity and the control of rates that it could have done and failed to do during all of these past years; and one reason why I want to call attention to the absolute critical importance of all of those other procedural provisions in the bill is that not only are we dependent on them, but I am also sending a message to Governor Thompson, don't you touch any of those other provisions. When this bill gets to your desk, it has been thoroughly worked out by the Legislature. We have modified it as much...as the consumers of this State have a right to expect it to be modified, don't you remove any of those procedural safeguards. With that, I would move for concurrence in Amendment No. 12.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 12 to Senate Bill 1021. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46,...45, the Nays are 12, 1 voting Present. The Senate does concur in House Amendment No. 12 to Senate Bill 1021, and now on Amendment No. 13. Senator Netsch.

SENATOR NETSCH:

Yes, thank you, Mr. President. Amendment No. 13 is not quite as emotional as Amendment No. 12. I would move that the Senate concur in Amendment No. 13 to Senate Bill 1021, and let me just briefly explain a couple of the things that it does. I think the only two provisions that are of...of considerable substance are there were some changes with respect to the reorganization provision, and the end result of those changes were that the reorganization provision was...or the commission's jurisdiction with respect

to...reorganization was somewhat narrowed over the original bill. The idea was that where there are transactions, acquisitions, divestitures, spinoffs that involve a subsidiary that has no interrelationship at all with the utility's subsidiary that it would not be subject to commission jurisdiction. I personally think the provision went a little beyond what it should but the basic thrust of the original provision is intact, and that is that any creation of a holding company, any acquisition, any divestiture, any spinoff, any action of that sort that will have an affect on the utility is subject to scrutiny by the commission, and the utility and its ratepayers are to be protected. So that is that provision. I think the one other...point that I might mention that is of interest to the members of the Senate is that the...at the House insistence the office of public counsel will be appointed by the Governor subject to Senate confirmation rather than by a legislative agency which we would have preferred. I still prefer it our way but at least it is subject to Senate approval and I think there will be adequate safeguards. I will answer any other questions about the amendment; if not, I would move that the Senate concur in Amendment No. 13...House Amendment No. 13 to Senate Bill 1021.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I would like to ask the sponsor a question.

PRESIDING OFFICER: (SENATOR SAVICKAS)

She indicates she will yield.

SENATOR JEROME JOYCE:

Does Amendment No. 13 require that public counsel to be appointed by the Governor rather than by the Legislative Audit Commission as we sent it out of here?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yes, that was the point I just made, Senator Joyce. That is correct.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Don't you foresee some kind of a conflict there when the...the Governor appoints the people's advocate and he also appoints the commerce commission?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

That is why the members of the joint committee initially proposed that the public counsel be appointed by the Legislative Audit Commission. It was the view of the...those who worked on the bill in the House that the prevailing law of the State of Illinois suggests that that was unconstitutional, and they insisted that it be changed to reflect a more usual appointive provision. I personally don't like it, I would rather have the public counsel not appointed by the Governor, but, again, there is Senate confirmation and we have demonstrated once, perhaps, unfortunately, only once, but we have demonstrated once that we know how to turn down a Governor's appointments that deal with commerce commission matters, and I would hope that if a Governor does not act appropriately with respect to this office, we would do exactly the same thing.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

All right. Well, for my friends in here who happen to be attorneys who had the...such a tremendous problem when this

bill was going through the first time with the judicial review, that I might tell them that it's still in here.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. And for my friends in here who are not attorneys, some of us still have that problem and, I suppose, if we're taking the opportunity to speak to the Governor, we'll have an at-bat at that level too. However, I believe that we should support Amendment No. 13 as well, insofar as it goes. There...the conflict argument is really a red herring. The fact of the matter is, we have input at this level too. Amendment No. 13 goes a long way; as you know, I criticized this bill and voted Present when...even though I was a sponsor when it went out of the House because it bristled with good intentions that were at war with one another. The good intentions are still there, the war is...perhaps reduced to skirmishes and I think that considering the time limits we're under that it's in as good a shape as this Legislature can put it in; therefore, I see no reason why there should be any No votes. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate concur in House Amendment No. 13 to Senate Bill 1021. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52...53, the Nays are 4, 1 voting Present. The Senate does concur in House Amendment No. 13 to Senate Bill 1021 and the bill having received the required constitutional majority is declared passed...whoop, Senator Kelly, for what purpose do you arise?

SENATOR KELLY:

Mr. President, I rise on a point of personal privilege.

PRESIDING OFFICER: (SENATOR SAVICKAS)

State your point.

SENATOR KELLY:

...I would ask my colleagues to follow the lead of Senator Rock and Senator Philip and please display and wear your yellow ribbon which recognizes our deep concern for the hostages which are being held in the Middle East, and it also our...signifies our concern for the American servicemen who are still being held captive in Southeast Asia. Our heart and our prayers are with them, and by this public display we certainly demonstrate that. Thank you, very much.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senate Bill 1164, Senator Joyce. Senate Bill 1412, Senator Lemke. Senate Bill...Senator Lemke.

SENATOR LEMKE:

On the Senate Bill 1412, I'd like to have leave to hold that till the Fall. It's an enterprise zone bill and it's a bill that...we may need it...by the Department of DCCA to do...to clear up any technical problems we have with the present enterprise zones. We had this problem in the past and I think it's a good idea to hold this bill till the Fall and hear it then. I ask for...

PRESIDING OFFICER: (SENATOR SAVICKAS)

...you've heard the motion. Hearing no objection, leave is granted...Senate Bill 1436, Senator Joyce.

SECRETARY:

(Machine cutoff)...Senate Bill 1436 with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Would we break up that conference in front of Senator Joyce?

SENATOR JEREMIAH JOYCE:

...thank you, Mr. President and members of the Senate. I move that the Senate do concur in House Amendments 1 and 2 to Senate Bill 1436. These House amendments will permit the inspection and disclosure of photographs of juveniles to victims and witnesses of crimes, something which is not pres-

ently permitted by the Illinois Juvenile Court Act.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1436. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1436 and the bill having received the constitutional majority is declared passed. Senate Bill 1452, Senator Joyce.

SECRETARY:

Senate Bill 1452 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

First of all, Mr. President and members of the Senate, I would ask that...leave of the Body that Senator Welch be added as a hyphenated cosponsor to Senate Bill 1452.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Is...any objection? If not, leave is granted. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Senate. I move that the Senate do not...Senate does not concur in House Amendment No. 1 to Senate Bill 1452 and that a Conference Committee be appointed.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce moves to nonconcur in House Amendment No. 1 to Senate Bill 1452. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator DeAngelis, for what purpose you arise?

SENATOR DeANGELIS:

*HB 1392
Refuse to recede.*

Well, I had a question of the sponsor and the light was on, Senator Savickas.

PRESIDING OFFICER: (SENATOR SAVICKAS)

I'm sorry, Senator DeAngelis. Did you ask a question? Senator Joyce. Would you ask that again?

SENATOR DeANGELIS:

Yeah, well, the amendment simply has an immediate effective date...what's so objectionable about that?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Everything in good time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

We have on Secretary's Desk nonconcurrence, we have House Bill 316, Senator Sangmeister. House Bill 514, Senator Kustra. House Bill 1932, Senator Netsch. 1392, Senator Netsch.

SECRETARY:

House Bill 1392 with Senate Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Yeah, I'm sorry, I...I move that the Senate refuse to recede from the amendments to House Bill 1392 and request a Conference Committee. There's some problems in the way the original thing was...the original amendments were drafted, in any event, and we want to make a substantive change if possible but there...we can't let it go the way it is.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch moves that the Senate refuse to recede from the adoptions of Amendments 1, 2 and 3 to House Bill 1392 and that a Conference Committee be appointed. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion carries and the Secretary shall so inform the

House.

PRESIDENT:

(Machine cutoff)...Senator Netsch. On the Order of Secretary's Desk Nonconcurrency, House Bill 1763, Mr. Secretary.

SECRETARY:

House Bill 1763 with Senate Amendment No. 1.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

I would move that the Senate refuse to recede from Amendment No. 1 to House Bill 1763 and request a Conference Committee.

PRESIDENT:

All right. You've heard the motion, Senator Netsch moves that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1763. Any discussion? If not, Senator Netsch has moved the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 1763 and that a Conference Committee be appointed. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion carries. The Secretary shall so inform the House. On the Order of Secretary's Desk Nonconcurrency, House Bill 2263, Mr. Secretary.

SECRETARY:

House Bill 2263 with Senate Amendment No. 1.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President, I move that we do not recede from the adoption of Senate Amendment No. 1 and that a Conference Committee be...convened.

PRESIDENT:

You've heard the motion, any discussion? If not, Senator

Savickas moves that the Senate refuse to recede from the adoption of Amendment No. 1 to House Bill 2263 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The..the motion carries. The Secretary shall so inform the House. Senate Bill 944, Senator Dawson. Senator Smith on 954. On the Order of Consideration Postponed Concurrence is Senate Bill 954. Mr. Secretary...Senator Dawson, are you with us? On the Order of Consideration Postponed Concurrence is Senate Bill 944, Mr. Secretary.

SECRETARY:

Senate Bill 944 with House Amendment No. 1.

PRESIDENT:

Senator Dawson.

SENATOR DAWSON:

Mr...Mr. President, Ladies and Gentlemen, I wish to concur on the House amendment to 944. This amendment becomes the bill and deletes everything after the enacting clause, requires the Department of Public Aid to adjust the grant levels to all categories to...fifty-two percent of the standard of need established annually by the Department of Public Aid. Currently, payments made by the department are at fifty-two percent now of the standard of need, and I ask for a favorable roll call.

PRESIDENT:

Any discussion? Discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. This is the cost of living increase for public aid recipients and it has, if I'm not mistaken, is at about fifty-two million dollar price tag and I would just hope that we could defeat this again like we did the first time.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAPPER:

If you're not here, please don't vote.

PRESIDENT:

All...all who are absent please rise. Senator Chew.

SENATOR CHEW:

Just for the record, it was not defeated the first time and the level of the fifty-two million in which she mentioned is, in fact, not "an increase." So we should concur with this amendment.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I rise in support of this. To think that this day and age with everything...we just got through passing out something, utility rates are raising, everything is hard today and we come along and say that the people who are on public aid that they should not be given an increase, why...is happening to us? People should be able to live with dignity, here we come along...the first primary concern of this Legislature or anybody should be to take care of the homeless, the elderly, the sick. It's great to pass out all these other thing, but if we don't think of our fellow and lady mankind, this is a humane bill. Everybody here, there should be fifty-nine Aye votes on this board. I move and ask for...recommend an Aye vote for this. I'm appalled.

PRESIDENT:

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

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, as said, this is something that is for the needy people of the State and I ask for a favorable roll call.

PRESIDENT:

The question is, shall the Senate concur with House Amendment No. 1 to Senate Bill 944. 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 29 Ayes, 30 Nays, none voting Present. The motion to concur fails and the Secretary shall so inform the House. 954, Senator Smith. On the Order of Consideration Postponed Concurrence, Senate Bill 954, Mr. Secretary.

SECRETARY:

Senate Bill 954 with House Amendment No. 1.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and members of the Senate. I bring Senate Bill 954 back to you with the amendment and I hope and pray that our friends on the other side will be a little bit more...sensitive and not gloat over this, because this is something that's going to help seniors who are not ready to retire and die and go to bed. This merely...requires that the Department of Aging make a feasibility study of affirmative action employment plan for people sixty years and older. That's all it does. We have amended...it was stated on the other side last week that we do have a lot of private groups but let the Department of Aging come up with a study and they take the lead rather than letting all of these community groups take the lead. We're only asking them, please, that we're asking for a feasibility study and that...I ask for a favorable vote.

PRESIDENT:

Discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

is the same proposal that was defeated just a few days ago which has the Department of Aging...conduct a feasibility study; the study which undoubtedly will next year be used as a citation for reason to begin job retraining for senior citizens or at least people age sixty and over. I submit to you that with all the retraining of the unemployed and younger people in this State that we need to do, that we've got plenty of work to do in this State, plenty of places to spend our money without getting into this area and I suggest that this whole idea should be nipped in the bud.

PRESIDENT:

Further discussion? Any further discussion? Senator Smith, you wish...I beg your pardon, Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Just...I wasn't going to speak on this but I think the discussion that we had on this piece of legislation several days ago was confused between a mandate and a study. It's a feasibility study and, Senator Schuneman, if, in fact, the Department of Aging after they have conducted that study deem it necessary that State enter into retraining and reskilling our senior citizens, maybe it might not be a bad idea. The discussions...when Senator Smith put this piece of legislation on postponed consideration, I think a majority of us were under the understanding that it was a mandate, it is not, it asks for a feasibility study; and for those reasons, I think we should strongly support this legislation.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

I rise in support of this, I think it's a good...a good amendment. I think this is needed since the President saw fit to slice out the money for the equal excess to justice to these people on social security and Medicaid. The Federal

Government used to pay groups to represent these people. Right now, the Federal Government has refused to help them and what this will do...this amendment will help the State of Illinois get back some Federal dollars that were...were...we don't get back. Maybe we'll come from the bottom of the list to the top of the list one of these days and be in the top ten of the recipients of Federal dollars, but so far, we're near the bottom ten and I think this is a good bill. I think it will assist our senior citizens in getting what's rightfully theirs and having them properly represented. Most of these people have worked all their life, are on pension and if they don't get the money from Medicare, it comes out of their pockets and they go around eating dog food and stale bread. I think it's a good amendment. I ask for its adoption.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I, too, would rise in support of this amendment. I...I think this is an excellent idea. I remember many years ago when my father was thrown out of a job...he was about fifty-six years old and the plant moved and they said he was too old to go with them and he couldn't find another job for quite some time, and it seems to me that the idea that jobs are reserved somehow for young people is wrong in this State. It seems to me that senior citizens are just as good as kids twenty to thirty years old, and I think that we should do a study on this and I think that we should see if we can retrain people and keep them productive because they are very productive people.

PRESIDENT:

Further discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I rise in support of

this...this bill. From the other side came the suggestion that this would cut into the kinds of funds available for younger people were this bill to pass and the study to be effective. The fact of the matter is that if we think that the economy is stilted and...and stable, yes, that is true; but the fact is, we're looking at an...at an expanding...economy, that's what I believe our system is built upon. We have in addition to that some seniors with some peculiar...with some particular kinds of skills which with a little direction could be used effectively for our communities. For those reasons, I would hope that we would all vote in favor of this bill, I support it and would ask all others to do so. Thank you.

PRESIDENT:

Further discussion? Senator Smith, you wish to close?

SENATOR SMITH:

Thank you, Mr. President and members. I merely want to assure you that the study will only cost thirty thousand dollars and that amount of money has already been added to its budget. So I ask for a favorable vote.

PRESIDENT:

The question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 954. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 35 Ayes, 22 Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 954 and the bill having received the required constitutional majority is declared passed. All right. If you'll take out Supplemental No. 1...Supplemental Calendar No. 1. On the Order of Secretary's Desk Nonconcurrency, House Bill 62, Senator Berman. Mr. Secretary, on the Order of Nonconcurrency, House Bill 62.

SECRETARY:

House Bill 62 with Senate Amendment No. 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I would move that we refuse to recede from Senate Amendment No. 1 and that a Conference Committee be appointed.

PRESIDENT:

Senator Berman has moved that the Senate refuse to recede from Senate Amendment No. 1...from the adoption of Senate Amendment No. 1 to House Bill 62 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Luft on 529. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

A point of personal privilege. Mr. President and Ladies and Gentlemen of the Senate, in the gallery behind me are Bill and Betty Hoffmeyer from Zion, Illinois in Beach Park, and he is an instructor at the Zion-Benton High School and he is the gentleman...appointed by the Lake County Board to represent the board...the paramedics of the Bonnie Brook Fire Department and I ask you to welcome them here today.

PRESIDENT:

Will our guests in the gallery please rise and be recognized. Welcome to Springfield. Senator Berman on House Bill 993. On the Order of Secretary's Desk Nonconcurrency, House Bill 993. Mr. Secretary.

SECRETARY:

House Bill 993 with Senate Amendment No. 1.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

HB 1070
Nonconcurrency

Well, thank you, I would move that we refuse to recede and that a Conference Committee be appointed; and after that motion, I have one other motion to make.

PRESIDENT:

All right. Senator Berman has moved that the Senate refuse to recede from Senate...the adoption of Senate Amendment No. 1 to House Bill 993 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. Senator Berman.

SENATOR BERMAN:

Thank you. As to House Bill 62 that we addressed a moment ago, I would ask for leave to...to remove my name as the House...as the Senate sponsor and to substitute Senator Kustra, please.

PRESIDENT:

All right. The gentleman seeks leave to remove himself and his name from cosponsor...chief sponsorship of House Bill 62 and request Senator Kustra be in his place. Without objection, leave is granted. Senator Berman, will you make the motion on...with leave of the Body in my behalf on 1070...Mr. Secretary, on the Order of Secretary's Desk Nonconcurrency is House Bill 1070.

SECRETARY:

House Bill 1070 with Senate Amendments 1, 2, 4, 5, 6 and 7.

PRESIDENT:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I move that we refuse to recede and that a Conference Committee be appointed as to House Bill 1070.

PRESIDENT:

All right. Senator Berman has moved that the Senate

HB 1934
Sec. Desk Noncon.

refuse to recede from the adoption of Senate Amendments 1, 2, 4, 5, 6 and 7, that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1097, Senator Carroll. 1924, Senator Watson. On the Order of Secretary's Desk Nonconurrence is House Bill 1924. Mr. Secretary.

SECRETARY:

House Bill 1924 with Senate Amendments 1, 2 and 3.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I move that the Senate refuse to recede and a Conference Committee be reported.

PRESIDENT:

Senator Watson has moved that the Senate refuse to recede from the adoption of Senate Amendments 1, 2 and 3 to House Bill 1924 that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1934, Senator Macdonald. On the Order of Secretary's Desk Nonconurrence is House Bill 1934. Mr. Secretary.

SECRETARY:

House Bill 1934 with Senate Amendment No. 3.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

Mr. President, I move that the Senate refuse to recede on Senate Amendment No. 3 to House Bill 1934 and that a Conference Committee be...established.

PRESIDENT:

All right. Senator Macdonald has moved that the Senate refuse to recede from the adoption of Senate Amendment No. 3

to House Bill 1934 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. 1962. On the Order of Secretary's Desk Nonconcurrency is House Bill 1962, Mr. Secretary.

SECRETARY:

House Bill 1962 with Senate Amendment No. 1.

PRESIDENT:

Senator Dunn.

SENATOR DUNN:

Thank...thank you, Mr. President. I...I move that the Senate refuse to recede from the Senate Amendment No. 1 and that a Conference Committee be...appointed.

PRESIDENT:

All right. Senator Dunn moves that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1962 and that a Conference Committee be appointed. All those in favor indicate by saying Aye. Those opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. 1974. On the Order of Secretary's Desk Nonconcurrency is House Bill 1974, Mr. Secretary.

SECRETARY:

House Bill 1974 with Senate Amendment No. 1.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President. I move that the Senate recede from Amendment No. 1.

PRESIDENT:

All right. Senator Coffey has moved that the Senate recede from Senate Amendment No. 1. This is final action. Is there any discussion? Any discussion? If not, the question is, shall the Senate recede from Senate Amendment No. 1 to House Bill 1974. Those in favor will vote Aye. Those

opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, no Nays, none voting Present. The Senate recedes from Amendment No. 1 to House Bill 1974 and the bill having received the required constitutional majority is declared passed. On the Order of Secretary's Desk Nonconcurrency is House Bill 2434, Mr. Secretary.

SECRETARY:

House Bill 2434 with Senate Amendments 1, 2, 3, 4 and 5.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I move the Senate refuse to recede from Senate Amendments 1, 2, 3, 4 and 5 to House Bill 2434 and request a Conference Committee.

PRESIDENT:

All right. Senator Maitland has moved that the Senate refuse to recede from Amendments 1, 2, 3, 4 and 5 to House Bill 2434 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Carroll on...you want to move on 1097? All right. On the Order of Secretary's Desk Nonconcurrency is House Bill 1097. Mr. Secretary.

SECRETARY:

House Bill 1097 with Senate Amendments 1, 3 and 6.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move that we nonconcur in House Amendments 1, 3 and 6 to House Bill 1097.

PRESIDENT:

All right. Senator Carroll has moved that the Senate refuse to recede from Senate Amendments 1, 3 and 6 to House Bill 1097 and a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. (Machine cutoff)...we have...pardon me, we have concluded both Calendars, Conference Committee reports are just starting now to filter in. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 424 offered by Senator Vadalabene.

PRESIDENT:

424, Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move to suspend all the appropriate rules for the purpose of considering Senate Resolution 424.

PRESIDENT:

All right. Senator Vadalabene has moved to suspend the rules for the immediate consideration and adoption of Senate Resolution 424. All in favor of the motion to suspend indicate by saying Aye. All opposed. The Ayes have it. The motion to suspend prevails. Senator Vadalabene on Senate Resolution 424.

SENATOR VADALABENE:

Yes, Mr. President,...am I to explain the resolution or is the Clerk to read the resolution?

PRESIDENT:

...why don't you explain it, then we'll move its adoption.

SENATOR VADALABENE:

All right...the...the resolution states that we notify Congress...where a fifteen million Federal appropriation for funding of the Kiln Gas 1986 operations when coupled with

7.38 million provided for the 1985 program, and I would move for its adoption.

PRESIDENT:

All right. Senator Vadalabene has moved the adoption of Senate Resolution 424. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The resolution is adopted. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

I...I move to suspend Senate Rule No. 5C so that House Bill 2525, the annual Legislative Reference Bureau revisory bill, may be considered for passage by the Senate today. The bill is on the Senate Calendar at the top of page 2, on the Order of 3rd Reading and we had deferred taking action on it till the Fall, but since the House adjourned abruptly and killed the Senate bill which was supposed to pass, we need this bill to make corrections for the Legislative Reference Bureau. So, therefore, I ask leave.

PRESIDENT:

All right. The Senator seeks leave to go to the Order of House Bills 3rd Reading for the purpose of the revisory bill. Is leave granted? Leave is granted. With leave of the Body, we'll move to...top of page 2 on the Calendar, on the Order of House Bills 3rd Reading, Mr. Secretary.

SECRETARY:

House Bill 2525.

(Secretary reads title of bill)

3rd reading of the bill.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

I move for the passage of House Bill 2525 as amended by the Legislative Reference Bureau and ask for a favorable vote.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall House Bill 2525 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no...54 Ayes, no Nays, none voting Present. House Bill 2525 having received the required constitutional majority is declared passed. Senator Philip, we are out of paper so to speak.

SENATOR PHILIP:

I...I might suggest, Mr. President, that we Recess until after dinner probably six thirty, seven o'clock. I...I've been led to believe there's no paper work over here from the other Body and so why don't we let...give our members a little R and R and let them have dinner and come back at seven.

PRESIDENT:

That seems...it's been a rough day so far, right. Okay. All right. Without objection, Senator Philip moves that the Senate stand in Recess until the hour of seven o'clock. In the meantime, the Conference Committee meetings will continue and we'd ask the members to promptly return at seven and we'll conclude our business I hope. The Senate stands in Recess until seven o'clock.

RECESS

AFTER RECESS

PRESIDENT:

All right. The hour of seven having arrived, the Senate will reconvene and be in order. For the first order of business while the members are rearriving, I would yield to Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. As most of you know, each year, in fact, for the last twelve years, we have had a legislative tennis tournament put on by the Southwestern Illinois Industrial Association which is a organization out of the metro-east area which Bob Walters, former Representative, is the executive director, and each year Bob has put on this tennis tournament and has done an outstanding job and, at this time, we'd like to award the trophies that were bestowed upon...at least one member of the Senate and his partner and that's Dick Luft. Dick, you want to come up here? Dick was captain of his team and he won the A Division which is the top flight division in...in the tournament and his partner was Jack Sutter, of course, Jack works for Illinois Bell. Like to present them with these trophies. Yeah...no relation to Bruce. Anyway, we appreciate the participation of the...of the members; unfortunately, this year, Art Berman who has participated in every tournament we've had and, in fact, has been a winner in the last four years was unable to...to...to beat...participate because of an award he was receiving in Chicago, but we hopefully have Art back again next year. Thank you, very much, Mr. President, for this...giving me this opportunity.

PRESIDENT:

(Machine cutoff)...right. We will begin on the Calendar, Supplemental No. 2. The intent of the Chair is to go right through the supplemental Calendars as they arrive. We're going to work until midnight, hopefully, conclude by midnight then we'll come back tomorrow if we're not finished. 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 concur with the

Senate, in the adoption of their amendments to the following House bills:

House Bill 374 with Senate Amendments 1, 2 and 3.

578 with Senate Amendment 2.

And, 1445 with Senate Amendment 2.

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

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

Senate Bill 1454 with House Amendments 1 and 3.

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 amendments to Senate Bill 263. Further directed they ask the first...for the first Conference Committee and the Speaker of the House has appointed the members on the...on the...the Speaker has appointed the members on the part of the House.

With...that was with Senate Amendment No. 1 on 263.

320 with House Amendment rather...House Amendment No. 2.

416, House Amendment No. 2.

834, House Amendment No. 1.

1132, House Amendment No. 1.

1165 with House Amendment No. 1.

And, 1194 with House Amendment No. 1.

PRESIDENT:

All right. Senator Demuzio moves that the Senate accede to the request of the House. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The Senate does accede to the request of the House for the formation of Conference Committees. All right. On the Order of Secretary...Supplemental Calendar No. 2. On the Order of

Secretary's Desk Nonconcurrency, Senate...House Bill 374, Senator Joyce. 578, Senator Poshard. On the Order of Supplemental No. 2 on Secretary's Desk Nonconcurrency, House Bill 578. Mr. Secretary.

SECRETARY:

House Bill 578 with Senate Amendment No. 2.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I refuse to recede from Senate Amendment No. 2 and request a Conference Committee.

PRESIDENT:

All right. Senator Poshard moves that the Senate refuse to recede from the adoption of Senate Amendment No. 2 to House Bill 578 and that a Conference Committee be appointed. All in favor indicate by saying Aye. All opposed Nay. The motion carries and the Secretary shall so inform the House. Senator Luft on 1445. Senator Luft, 1445? On the Order of Secretary's Desk Nonconcurrency is House Bill 1445. Mr. Secretary.

SECRETARY:

House Bill 1445 with Senate Amendment No. 1.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Could I first ask if that...if that is Committee Amendment No. 1...or is that Amendment No. 1 or No. 2? I wonder if there's an error.

PRESIDENT:

...Senate Amendment No. 1.

SENATOR LUFT:

Okay. I would move to nonconcur in that amendment, please.

PRESIDENT:

All right...the Senator refuses to recede from Senate Amendment No. 1 to House...and moves that...the Senate refuse to recede from Senate Amendment No. 1 to House Bill 1445 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. On the Order of Conference Committee Reports. Conference...on the Order of Conference Committee Reports is a Conference Committee report on House Bill 48. Senator Luft. Senator Luft...or Mr. Secretary.

SECRETARY:

First Conference Committee on House Bill 48.

PRESIDENT:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senator Bloom was supposed to handle this and Senator Lechowicz. Is Senator Lechowicz here? This is the Conference Committee report on House Bill 48. It just came out...it passed the House 110 to nothing, and what it does is offer a sales tax exemption on the LTV plant in the Chicago area. There are efforts being made by the local people up there, the assessor, in reduction of assessment of taxes, and this is one of the programs that they asked the State Legislature to enter to...enter into with them to help them maintain that plant in the Chicago area. I would try to answer any questions or have Senator Lechowicz further explain the conference report; otherwise, I'd move for the adoption of the Conference Committee...

PRESIDENT:

All right. Senator Luft has moved the adoption of the Conference Committee report on House Bill 48. Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President. Basically, what it...it

does, it creates a tax exemption for certain businesses who create two hundred or more jobs or make investments to ensure the retention of two thousand job. As it was pointed out, this is one steel company that has competition in the State of Ohio, and the difference between the real estate taxes at the facility in the Chicago...area and Ohio is thirteen million dollars. And DCCA has made...in conjunction with the Governor's Office has made a recommendation that in order to try to keep this company to...to remain in business in Illinois, that provisions be incorporated in Conference Committee Report No. 1 on Senate Resolution...on...on...on...House Bill 48 to concur and ask that these employees...with the exception that the State sales tax exemption will not be contingent on municipal sales tax being amended. I...both the city and DCCA concur with this and I move for its adoption.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

I apologize for not being on the Floor, we were up on the sixth floor working on appropriations. The prior two speakers have adequately outlined the terms of this Conference Committee report, and we'd request a favorable roll call.

PRESIDENT:

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I have a question to the...Senator Bloom.

PRESIDENT:

Senator...Senator Bloom indicates he's more than able and willing.

SENATOR KUSTRA:

Senator, on page 7, beginning with line 8, there's a discussion of the misallocation of sales tax revenues. We passed a bill a couple of years ago that dealt with this

subject and affects the communities in my district. I just want to know what the significance of striking the effective date of the amendatory Act and putting January 1st, 1985 is, if you know that?

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

I think that's Reference Bureau cleanup. It would have no substantive effect on the purposes of the language. In other words, your amendatory Act passed at a certain time. Okay? So this actually goes back and they're still covered. Okay? Thank you.

PRESIDENT:

Any further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 48. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 48 and the bill having received the required constitutional majority is declared passed. 66. On the Order of Conference Committee Reports, House Bill 66. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 66.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I move to adopt the first Conference Committee report on House Bill 66. The original language was put back into the legislation which provides for the opportunity of multitownship boards of trustees to vote compensation for themselves up to twenty-five dollars per

HB 204
C.C. report

dium. This passed out of the Senate with little or no opposition. We added to the report a provision from Senate Bill 1044 which passed the Senate 59 to nothing but was Tabled in the House, and this particular provision amends the Township Open Space Act to prohibit townships from holding or acquiring land which is subject of a municipality's annexation petition unless permission is obtained from the municipality. I move for the adoption of the report.

PRESIDENT:

All right. Senator Watson has moved the adoption of the Conference Committee report on House Bill 66. Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 66. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 66 and the bill having received the required constitutional majority is declared passed. 204, Senator Lemke. On the Order of Conference Committee Reports, Mr. Secretary, House Bill 204.

SECRETARY:

First Conference Committee on House Bill 204.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

What this Conference Committee does is puts this bill in the same form it left the Senate, and I ask for its adoption.

PRESIDENT:

Any discussion? Any...is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 204. 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

C.E. Report
H.B. 344

who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 204 and the bill having received the required constitutional majority is declared passed. If you'll turn over Supplemental Calendar No. 2 on the...top of the flip side. (Machine cut-off)...DeAngelis, for what purpose do you arise?

SENATOR DeANGELIS:

Mr. President, I'm not trying to delay the process, but have all these...the...the ones we're voting on now, have they been circulated?

PRESIDENT:

...yes, sir.

SENATOR DeANGELIS:

I couldn't find 66 or 204 on my desk.

PRESIDENT:

Senator Barkhausen on 344. On the Order of Conference Committee Reports, Mr. Secretary, House Bill 344.

SECRETARY:

First Conference Committee report on House Bill 344.

PRESIDENT:

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, this Conference Committee on House Bill 344 adds a provision to the bill that we passed earlier. The...the earlier bill dealt with annexation and permitted annexation where a municipality is bounded by a creek, in addition to one being bounded by a lake or a river. We then added a provision dealing with the incorporation section of the Municipal...Municipal Code to allow a municipality an opportunity to incorporate if it had eighteen hundred inhabitants. And this third provision deals with municipalities with parcels of less than ten acres and bounded by an interstate highway. This has been requested by

the Village of Northfield because they are concerned about property which is a former Nike site and which now belongs to the Cook County Forest Preserve District and the forest preserve is going to sell it, and the Village of Northfield would like to be in a position to acquire it. I know of no opposition, although, there are a couple of signatures missing from Senators on the other side of the aisle, but I'd be happy to try to answer any questions.

PRESIDENT:

All right. Senator Barkhausen has moved the adoption of the Conference Committee report on House Bill 344. Any discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 344. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 344 and the bill having received the required constitutional majority is declared passed. Senator Fawell on 605. On the Order of Conference Committee Reports, Mr. Secretary, House Bill 605.

SECRETARY:

The first Conference Committee report on House Bill 605.

PRESIDENT:

Senator Fawell.

SENATOR FAWELL:

Thank you, very much. I wish to concur with House Amendment No. 1 and recede on Senate Amendment No. 1. The Senate amendment was a bill that was...I was asked to attach to this bill by Senator Keats, it was a local problem and he has now resolved it in another way. Amendment No. 1 was...House Amendment No. 1 that we are concurring on is basically technical language.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference...Committee report on House Bill 605. Those in favor will vote Aye. Those opposed 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 57, the Nays are none, none voting Present. The Senate does...does adopt the Conference Committee report on House Bill 605 and the bill having received the required constitutional majority is declared passed. 809. House Bill 809, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 809.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President. I move to accept the Conference Committee report on House Bill 809 and move for its adoption. This bill authorizes river conservancy districts to participate in industrial projects and to issue revenue bonds under the Industrial Building Revenue Bond Act. The House concurred with Senate Amendment 1, and I would...defer to Senator Watson to explain the additional language that was added by the Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. The language that we added in the Conference Committee is agreed upon, from what I understand, it was Department of Transportation brought this to our attention. The City of Collinsville is going to be selling industrial revenue bonds which will, in...in fact, then be used...utilized to build a facility for Department of

Law Enforcement, Central Management Services and Department of Transportation in the Collinsville area. They will then, in fact, lease this particular facility to the State and the State then will pay the City of Collinsville and this...this language was necessary in order to...to make this happen. I see no problem with it and I have...I know of no opposition.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 809. Those in favor will vote Aye. Opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on House Bill 809 and the bill having received the required constitutional majority is declared passed. (Machine cutoff)...Bill...1182, Senator Lemke. House Bill 1182, Mr. Secretary.

SECRETARY:

House Bill 1182, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does, number one, on the date of...to not enforce the...it changed the date. We...originally it was...January 1st, then we made it July 1st and now the agreement is April 1st, on April Fools' Day, I guess, in regards to the enforcement of the Juvenile Act. Also what it does is adds a provision...gives it twenty-one...date to social workers to work with juveniles. I think it's...which the department and the sheriffs want. I think it's a good amendment. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEBUZIO)

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

MS 888
C.C. R. 22

the Senate adopt the Conference Committee report on House Bill 1182. 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? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. The Senate does adopt the Conference Committee report on House Bill...1182 and the bill having received the required constitutional majority is declared passed. All right, with leave of the Body, we'll back up and pick up House Bill 888. Mr. Secretary, House Bill 888.

SECRETARY:

First Conference Committee report on House Bill 888.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is probably one of the shortest Conference Committee reports we'll see all evening. It says essentially that the Senate recedes from Senate Amendment No. 1. You will recall, House Bill 888 is the Environmental Barriers Act which passed out of this Body unanimously; upon reaching the House, it was found that Senate Amendment No. 1 which was superseded by Senate 2 was technically in error. So we are just taking one off to clean up the bill. It is a purely a technical change and I would urge the adoption of the first Conference Committee report on House Bill 888.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question...any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 888. Those in favor will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does adopt the first Conference

Committee report on House Bill 888 and the bill having received the required constitutional majority is declared passed. House Bill 894, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 894.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. House Bill 894, the intent of which was to require the installation of telecommunication devices for the deaf at major transportation sites involving commercial, inner city rail transportation did not intend, I am told by Representative Madigan, to include the Chicago Transit Authority; otherwise, that under the provisions of this bill, you would literally have to have one of these devices at darn near every corner in the City of Chicago. So, the fact is that Senate Amendment No. 1 exempts the Chicago Transit Authority from the provisions of this bill. I know of no opposition and I would urge, again, the adoption of the first Conference Committee report on House Bill 894.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Any discussion? Any discussion? If not, the question is, shall the Committee...shall the Senate adopt the first Conference Committee report on House Bill 894. 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 55...I'm sorry, the Ayes are 56, the Nays are 2, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 894 and the bill having received the required constitutional majority is declared passed. House Bill 2440, Mr. Secretary.

SECRETARY:

House Bill 2440, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rigney.

SENATOR RIGNEY:

Mr. President, 2440 is the legislation that will require the deposit of all fees from boiler and pressure vessel certification to be deposited into the Fire Prevention Fund. Senate Amendment No. 1 was the one that allowed for the unattended service stations in the downstate counties of Illinois. The Conference Committee report is giving approval to Senate...Amendment No. 1. I'm pleased to say that the House has just concurred in Senate Amendment No. 1 on a vote of 116 to nothing.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President, and I do apologize for taking...standing in opposition to 2440. But I think it should be clearly understood by the membership of this Body that the State Fire Marshal's Office was really opposed to this bill and we defeated it in this Chamber just a few weeks ago. And when it come...comes to public safety in this State, I believe there is a certain responsibility we all have, but it's...there's also responsibility that if we don't have the expertise, we have to listen and take advice of people who are charged with that responsibility in the area of public safety. And, unfortunately, this bill covers exactly that point, and the point is that the State Fire Marshal stated that this will cause a hazard, a hazard whether it be in downstate Illinois or, unfortunately, a more hazard if it's in an urban area. That's the fact in this matter and I don't believe that this Conference...and I refused to sign this Conference Committee. When the gentlemen who is sponsoring this legislation and was defeated before, I told him, I checked with the Fire Marshal's Office, he is still opposed

to the bill. I would not sign the Conference Committee report and I would be...I would make sure that I would voice the objection of the department due to the public safety nature of this bill and opposition to the adoption of this Conference Committee report. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. Well, Senator Lechowicz, our information indicates that the Fire Marshal supports the bill. Can you tell me who you talked to in the Fire Marshal's Office?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I spoke with the fire marshal from Peoria and Mr. Dick Ortziger, I believe his name is, he...he talked to me this...or Tom Ortziger, he talked to me this afternoon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rigney may close.

SENATOR RIGNEY:

Well, Mr. President, it's no doubt about it...that this bill had a lot of opposition as late as this morning. In fact, when I went over to secure signatures in the House, I understood that even the Speaker was opposed to it. That opposition was withdrawn, I'm not exactly sure of all of the...ramifications of it or why it was, but as I pointed out in my opening remarks, the vote in the House was 116 to nothing, and I think that was rather conclusive proof that if there was opposition, at least the House must have got the message and the opposition was not registered at that time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate adopt the first Conference Committee report on House Bill 2440. Those

in favor will vote Aye. Those opposed 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 43, the Nays are 10, 2 voting Present. The Senate does adopt the first Conference Committee report on House Bill 2440 and the bill having received the required constitutional majority is declared passed. Senate Bill 813, Senator Davidson. 8-1-3, Mr. Secretary.

SECRETARY:

Senate Bill 813, the First Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Davidson.

SENATOR DAVIDSON:

Mr. President, and members of the Senate, this Conference Committee report has the technical changes and the recodification of the Department of Conservation which we passed out of here at 813. We went into a Conference Committee to add to it Senate Bill 1237 which passed out of the Senate 56 to nothing with 1 Present, and that deals with the Forestry Development Fund. That bill got lost in the shuffle when they adjourned over there suddenly, it was never called. It was one of the...I think the next bill to be called and that's what this is all about and the Conference Committee recommended adoption. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 813. 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 58, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 813 and the bill

having received the required constitutional majority is declared passed. All right. There will be a...momentarily a...an additional Supplemental Calendar 3 that will be distributed as soon as it arrives. So if you would...just stand at ease for a couple of minutes. Senator Holmberg, for what purpose do you arise? Senator Holmberg.

SENATOR HOLMBERG:

With leave of the Body, I would like to add Senator Etheredge's name as hyphenated cosponsor of Senate Bill...or House Bill 1517.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Leave of the Body, Senator Holmberg has requested to add Senator Etheredge as a cosponsor of House Bill 1517. Is leave granted? Leave is granted.

PRESIDENT:

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. While there's a lull and I think this is a good time, I have these suggested addresses for Independence Day. They've been on my desk for three days now and they're going like hot cakes.

PRESIDENT:

Begin on Supplemental No. 4. Senators Maitland and Berman, are you guys...okay. On the Order of Conference Committee Reports, Supplemental Calendar No. 3, Conference Committee report on House Bill 1037. Mr. Secretary.

SECRETARY:

House Bill 1037, the first Conference Committee report.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I move that the Senate accept Conference Committee Report No. 1 to House Bill 1037.

PRESIDENT:

All right. Senator Maitland has moved the adoption of the Conference Committee report on House Bill 1037. Any discussion? Senator Berman. Take it out of the record, Mr. Secretary. 1249, Senator Degnan. All right. 1258, Senator Weaver. On the Order of Conference Committee Reports is Conference Committee report on House Bill 1258. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1258.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would move that the Senate adopt the first Conference Committee report on House Bill 1258. This is basically a change in...in some of the technical language to make these notes more saleable and to make sure that the issuance does not exceed eighty-five percent of the tax levy. If there's any questions, I'll be happy to try to answer them.

PRESIDENT:

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

SENATOR LECHOWICZ:

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

PRESIDENT:

Indicates he'll yield, Senator Lechowicz.

SENATOR LECHOWICZ:

Senator,...what kind of notes are you referring to?

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

These are tax anticipation notes, Senator Lechowicz.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Affecting units of local government or is this strictly tax anticipation notes for this State?

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Units of local government.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Is this an imposition on home rule? Fine. Thank you.

PRESIDENT:

All right. Any further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House...House Bill 1258. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1258 and the bill having received the required constitutional majority is declared passed. 2276, Senator Etheredge. Senator Etheredge on the Floor? 796, Senator Fawell. Senator Fawell.

SENATOR FAWELL:

My understanding is, we are waiting for a technical amendment that I don't believe has...arrived yet.

PRESIDENT:

All right. We'll hold it. All right. On the Order of Conference Committee Reports is a Conference Committee report on House Bill 1249. Mr. Secretary.

SECRETARY:

(Machine cutoff)...Conference Committee report on House Bill 1249.

PRESIDENT:

Senator Degnan...Senator Degnan, I'm sorry.

SENATOR DEGNAN:

Thank you, Mr. President. The concept in House Bill 1249 is offered by Senator Netsch and I would yield to her for an explanation.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate adopt the...I beg your pardon. I...you know, all I can do is go by the lights. Senator Netsch.

SENATOR NETSCH:

Senator Degnan had said that the...

PRESIDENT:

I beg your pardon.

SENATOR NETSCH:

...bill is mine now and he yielded to me. Senator Etheredge and I were the joint sponsors of Senate Bill 1318 which was a method of establishing by Statute the Governor's...or the allocation of the so-called private activity bond cap that was imposed by Congress in the Tax Act of 1984. The Governor has done that by Executive Order to date, but the Legislature should assume the responsibility for doing it. My bill was worked out with the Bureau of the Budget, it effectively codifies the...Executive Order 6 of the Governor. I think there was no objection to it at all, but it was one of the bills that was on the Calendar before they adjourned...or after they adjourned in the House the other night and so it was not reached. It passed...I think 58 to nothing out of the Senate initially. I would move that the Senate adopt Conference Committee Report No. 1 to House Bill 1249.

PRESIDENT:

All right. Senator Netsch has moved the adoption of the Conference Committee report. Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House 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? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does accept the...adopt the Conference Committee report on House Bill 1249 and the bill having received the required constitutional majority is declared passed. Senators Maitland and Berman, I'm told, are ready on the Order of Conference Committee reports. There's a Conference Committee...I was just told that you...okay. Got you. We'll hold on to that one too. (Machine cutoff)...we're...we're just awaiting paper, so my suggestion is we just stand at ease and we'll continue every hour on the hour. So we'll start again at nine-thirty with a...Supplemental No. 4, once the paper is processed and distributed. We'll stand at ease until nine-thirty. Senator Lenke, for what purpose do you arise?

SENATOR LENKE:

You know,...I don't have one of those orange sheets with the Democratic staff analysis on these bills that we got this time. I'd like to see that analysis before we, you know, call these bills for a vote. We don't know what we're voting on.

PRESIDENT:

That...that...that request is in order. I'll see that that's done before nine-thirty. Senate will come to order. It is now ten-thirty, we intend to work until midnight. Hopefully, if we get everything done, we'll go home; otherwise, we'll come back at ten o'clock tomorrow morning. We'll start on Supplemental Calendar No. 4...Supplemental Calendar No. 4. On the Order of Conference Committee Reports, Confer-

HB 571
1st conf. Comm. Rept.

ence Committee report on House Bill 497. Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 497.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would move that we accept Conference...the first Conference Committee report on House Bill 497. If you'll notice on the back, I did not sign it and that is simply because they couldn't find me. I would have had I done it. It clarifies that the civil arrests...we've taken care of a problem that...and then we've put the language in the same form as House Bill 474 which we passed out of here. I would move we adopt it.

PRESIDENT:

All right. Senator Donahue has moved adoption of the Conference Committee report. Is there any discussion? Any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 497. Those in favor will vote Aye. Those opposed will vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 497 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports, Senator Hall. Conference Committee report on House Bill 571, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 571.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you...thank you, Mr. President and Ladies and

Gentlemen of the Senate. I move to concur with Conference Committee Report No. 1 on the first Conference Committee on House Bill 571. What happened, everything was stricken from this bill except the enacting clause and then they put in to provide the boards of review, and that's not...no longer in this 571. All the producers are in agreement on the ethanol...at that...this reduces their subsidy by one cents. It's been worked out with the Governor's people and it does not hurt the farmers. So, therefore, I move for the acceptance of the first Conference Committee to House Bill 571.

PRESIDENT:

All right. Senator Hall has moved the adoption of the Conference Committee report on House Bill 571. Discussion? Senator Joyce.

END OF REEL

REEL #3

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield, Senator Joyce.

SENATOR JEROME JOYCE:

Yes, are we adding back any of the...the penny tax or two penny tax on gasohol?

PRESIDENT:

Senator Hall.

SENATOR HALL:

Senator, I'm trying to get that information. I just came down and I received this and I...I've sent for Paul, he's...should be here right away. If you want to,...I certainly take it off the record...

PRESIDENT:

All right. Take it out of the record, Mr. Secretary. Senator Degnan. Well,...Senator Degnan on...we'll get right back to it as soon as he's ready. Senator Degnan. On the Order of Conference Committee Reports is House Bill 694, Mr. Secretary.

SECRETARY:

House Bill 694, first Conference Committee report.

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate...House Bill 694 is first Conference Committee report. The Senate recedes from Senate Amendments No. 1 and 2 and language is changed that provides the Cook County State's Attorney with the same two-thirds reimbursement for appellate costs that a hundred and

HB 571
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one other counties in this State are entitled to. I'd be happy to answer any questions.

PRESIDENT:

Senator Degnan has moved the adoption of the Conference Committee report on House Bill 694. Discussion? Senator Hall. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. In...in regard to your...your remark about you're complying now with language that, I guess, a hundred and one other counties have, why...why didn't Cook County have language such as this prior to this time and are...and are we receiving...or are Cook County receiving any funding at all in lieu of what this particular two million dollars is going to be?

PRESIDENT:

Senator Degnan.

SENATOR DEGNAN:

I'm not sure when the appellate...State's Attorney Appellate Service Commission was organized, I wasn't here. I'm not sure why Cook County was not included, Senator Watson. On your second question, the answer to my knowledge is no.

PRESIDENT:

Further discussion? Is there any further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 694. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 20 Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 694 and the bill having received the required constitutional majority is declared passed. Senator Hall, are you ready? On the Order of Conference Committee Reports, House Bill 571, Mr. Secretary.

SECRETARY:

First Conference Committee Report on House Bill 571.

PRESIDENT:

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. To answer Senator Joyce's question, I'm going to defer to Senator Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, this bill is the old 753, Senate bill, that reduced the subsidy by one percent for the gasohol. It also includes the reciprocity and tax exemptions awarded to gasohol produced out-of-State and it revises the definition of the tax exempt gasohol to exclude gasohol blended with imported ethanol. This is...this is the bill that...I believe has been worked out with the Governor's input, all the producers and manufacturers of ethanol have agreed and signed off to remove this subsidy in this phase and phase it out as they originally intended. The producers have no problem in...in having this subsidy reduced. They agreed to the reciprocity and they agreed also on the...out-of-State, the...gasohol blended with imported ethanol. I have seen no opposition from the producers, from the Governor's Office and those of us interested in bringing more funds into the State General Revenue Fund. I would move its concurrence.

PRESIDENT:

All right, Senator Hall has moved the adoption of the Conference Committee report on House Bill 571. Discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I think that we have

already addressed some of the problems and most of them in the bill that Senator O'Daniel and Senator Poshard were sponsoring. I think...with the mood of this General Assembly and Build Illinois coming along...a few dollars more going into a subsidy for grains...cereal grain that will be used to produce this would be a great benefit for this State. Right now, when agriculture is at its lowest ebb probably ever, this little bit of help...this couple of cents could bring us...could help bring a little bit of agriculture to the agricultural economy back to where it ought to be. I think that it's very important that we defeat this Conference Committee. I think we could help Illinois' number one economy immensely by defeating this Conference Committee report.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he'll yield. Senator Welch.

SENATOR WELCH:

How much will this raise?

PRESIDENT:

Senator Hall yields to Senator Savickas.

SENATOR SAVICKAS:

Senator Welch, when we talk about helping our Build Illinois and our education economy, this subsidy reduction in the first year will bring at least twelve million dollars into the General Revenue Fund and over five years will bring over one hundred and fifty-five million dollars into the General Revenue Fund, monies that can be used to help develop our Build Illinois programs and our educational funds. This subsidy has been agreed to, the reduction, by the manufacturers that produce it. They say they don't need it. So, why can't we bring it back into the General Revenue Fund?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

I'd like to answer that question. What we're...what we're doing is taking off an incentive for the entire State of Illinois to become energy self-sufficient. This is exactly the wrong time of the year to be doing this. One of the reasons we're trying to become energy self-sufficient is because of the crazy antics over in the Middle East, and if anybody has been watching TV in the last two weeks, they know how crazy those people can be, and the oil supply can be shut off at any time. It seems to me that the question is not just reducing a subsidy one year at a time, the question is, discouraging the development of an industry which we hope will help to replace gasoline which is a commodity we're in very short supply of. I tend to agree with Senator Joyce as far as trying to help out the farmers. Certainly farming is not a great occupation in this State anymore as far as making any money. The farmer is lucky if they can break even nowadays. It seems to me for those two reasons we should reject this Conference Committee report.

PRESIDENT:

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. Senator Savickas, you said that this was similar to Senate Bill 753. Is it not 254...Senate Bill 254? What's the difference between the two?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

My...my understanding that this does not have the...the reciprocity. This does have the protection against the Brazilian ethanol and, evidently, there is a question on that

reciprocity and the Governor would like this bill on his desk...both of them really.

PRESIDENT:

Senator Donahue.

SENATOR DONAHUE:

Well, then where's Farm Bureau, where are the Illinois Corn Growers, where are those involved in...in support of this?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

My staff has indicate to me, standing right next to me, that the Farm Bureau and the Corn Growers Association are both in agreement with these bills.

PRESIDENT:

Further discussion? Senator...Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this bill. I think Senator Savickas has stated the case well. It is a product of discussions that have taken place between all the interested parties. I think that they have agreed. I would suggest an Aye vote.

PRESIDENT:

Further discussion? Senator O'Daniel.

SENATOR O'DANIEL:

Yes, Mr. President and members of the Senate, I rise in opposition to this bill. I...I feel that with the agriculture in...in very difficult times and we need to promote the use of cereal grains into ethanol and while it's still in the experimental stage and the...the original legislation was designed to phase the sales tax back in in 1992, and I think it should be left that way.

PRESIDENT:

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

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have been given the information that this was all worked out in the Governor's Office, that he's anxious to accept this bill...I'm also informed that the Farm Bureau, the corn growers, the ethanol producers and the oil industry are in support of this bill, and I'd ask your most favorable support.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee report on House Bill 571. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 19, none voting Present. The Senate does adopt the Conference Committee report on House Bill 571 and the bill having received the required constitutional majority is declared passed. 1072, Senator Etheredge. On the Order of Conference Committee Reports, 1072, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1072.

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I...I move that the Senate accept the first Conference Committee report on House Bill 1072. What the Conference...well, first of all, House Bill 1072 is the foreign language academy bill. The...it has come back to us, however...just a shadow of its former self. What the Conference Committee report says is that the...the academy will

exercise its responsibilities by offering weekend and after school hours and during...and programs during vacations, that's all. That it would no longer be residential, and...and, of course, the...the...during the first year would simply be a planning year to offer these kinds of programs. So, I would move for the acceptance of the Conference Committee report.

PRESIDENT:

All right. Senator Etheredge has moved acceptance...or adoption of the Conference Committee report. Discussion? Senator Berman.

SENATOR BERMAN:

Question of the sponsor.

PRESIDENT:

Sponsor indicates he will yield, Senator Berman.

SENATOR BERMAN:

Senator Etheredge, it was my understanding that the only academy that would be addressed was the one that will be included in the reform package and that's the math-science academy up in your area. What is this?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, I...this proposal is so radically different from...from what we originally discussed a...a few days ago, it is no...it is an academy now in name only I would say. It is no longer residential. The programs that would be offered would be after...regular school hours, on weekends and during summer vacations. Quite frankly, at this time, Senator, I'm not sure how the program can function, but as you...as I also indicated, this first year would be a planning year to see whether or not such...such an institution, academy, whatever you want to call it could function in those terms.

PRESIDENT:

Further discussion? Senator Collins. Gentlemen, please.

SENATOR COLLINS:

Question of the sponsor, please.

PRESIDENT:

Sponsor indicates he'll yield, Senator Collins.

SENATOR COLLINS:

Senator,...you know, recognizing that there...this...this Conference Committee report poses a drastic change to that academy, how much money now is being allocated for the academy?

PRESIDENT:

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, the original request was for forty-two thousand dollars and...and at this point, I honestly can't tell you if that money is still in the budget or not. I...I am told that it is.

PRESIDENT:

Senator Collins.

SENATOR COLLINS:

Yes,...point of personal privilege, I...I guess I should do that right...do this right now and maybe just kind of save all of us some time. Let...let me just say that I recognize that during the Conference Committee process that...that we often change a lot of bills from what they were when they originally passed the House and the Senate, but I think this year would serve all of us well that if we are going to drastically rewrite legislation that we explain very explicitly what that legislation is doing. And to the extent possible, I would hope that we will not be totally rewriting legislation and specifically as it relates to so-called Build Illinois bills that we've already passed, because I've always been afraid that what is going to happen to this so-called reform on all of the world that we are reforming in the State

of Illinois is that we're going to end up with nothing, and this is a good example of ending up...starting out with something and ending up with nothing and...and so we're just kidding ourselves. So, if we're not going to carry out the...the...the mandates that as we have passed them through this Assembly on the major issues, then I just suggest that we just adjourn this Senate, we will do the citizens of this State well and go home.

PRESIDENT:

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. I had asked a question but I didn't...I hadn't finished. It...if we could have a little attention, please.

PRESIDENT:

Yes, please. Gentlemen,...Dave, will you get that group out of there, please.

SENATOR BERMAN:

I apologize for taking the time of the Senate on an appropriation or a bill that's going to involve only the expenditure of forty-two thousand dollars. But I...it...it disturbs me because what we are doing here is with one hand we have agreed upon a certain commitment regarding academies, and on the second hand, we are being asked to pass a bill, House Bill 1072, that refers to an academy and the sponsor himself says, it's called an academy but it won't be an academy. Well, ladies and gentlemen, let me tell you, one year from tonight we'll be here appropriating or asked...being asked to appropriate substantial money...substantial money for an academy that everybody has agreed tonight shouldn't exist. I'm going to vote No and I...I'm rather upset that the sponsor would move forward with this bill. His academy is in the agreed package and there was agreement with the Governor's Office and all of the summiteers, the designated

hitters, that there was going to be only one academy funded and this bill calls for a second academy and forty...forty-two thousand dollars of planning. I'm not sure what they're planning for because we've addressed bilingual, we've addressed dropouts, we've addressed...all of these programs in other areas and I'm not sure why we're being asked to do this. I'm not ready to...to vote Yes, I'm going to ask you not to vote Yes. I don't think this bill makes any sense in light of the other agreements that have been signed off to by everybody else.

PRESIDENT:

All right. Any further discussion? Further discussion? Senator Etheredge, you may close.

SENATOR ETHEREDGE:

I think I have...have indicated that what we're talking about now is no longer a...a residential academy. What we're talking about is a...a study to determine how we might offer the educational opportunities for students in the area of the foreign languages after school hours, on Saturdays, during summer vacations and this...this would...the legislation would provide the planning for that kind of a program to take place over the next year. I would...I would ask for your favorable consideration.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee report on House Bill 1072. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 24 Nos, 3 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President. I would request a second

Conference Committee report on...

PRESIDENT:

All right. Fine. Thank you. That will be included in the Message we send back to the House. Mr. Secretary, the gentlemen has requested a second Conference Committee. 1552, Senator Vadalabene. On the Order of Conference Committee Reports, House Bill 1552, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 1552.

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the...Senate. The report deletes everything after the enacting clause and becomes the bill, and the report includes the county assessors for the first time. The increases in the minimum salaries are gradual and funded in part by the State's Mandate's Act, and I move for the adoption of the Conference Committee report.

PRESIDENT:

Senator Vadalabene has moved the adoption of the Conference Committee report on House Bill 1552. Discussion? Senator Watson.

SENATOR WATSON:

...can I ask a question of the sponsor, Mr. President?

PRESIDENT:

Indeed. The sponsor indicates he'll yield, Senator Watson.

SENATOR WATSON:

What...was any other office added to the Conference Committee report, Senator?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

...yes, I just said the assessors. I...I said that in my opening remarks.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay...what is the rationale of including this...the county supervisor of assessments in this? This...he's not an elected official, why should they be included?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

...there are four elected and ninety-eight are not elected.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Does this only affect the four that are elected then?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

It affects all of them except Cook County.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

...thank you. Okay. Well, Cook County, you mentioned that...since Cook County is a home rule, then are they affected by this legislation at all?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

They're home rule, so they're not.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Okay. Another question, on a chart that we have that was prepared by our staff, it talks about the minimum compensation proposed and a phase-in over a period of time. The first particular phase-in date is December 1st of 1985. Is that...is that correct? Do you have that? All right. He's nodding his head yes. Then, I thought we couldn't raise...or change an elected official's salary during a term of office. How can that pay raise take effect...December 1st of 1985 when the election is not until November of 1986 and, therefore, the county official will not take office until, I believe, it's the first Monday or so of...of December of 1986? How can that pay raise take effect in '85?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

I don't know, I'll have to yield...to Senator Schaffer on that one.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAPPER:

First of all, the circuit clerks' salaries don't happen to fall under that mandate. In any given year, you'd probably have forty to fifty people throughout the State that either resign or die in these positions and they could conceivably be affected by that.

PRESIDENT:

All right. Further discussion? Senator Watson, please.

SENATOR WATSON:

Thank you. All right, well, that's...we're going to take care of the ones that are appointed then, that's what we're doing on December 1st of 1985, those people that are appointed. All right. Under the State Mandate's Act it says that, "The State shall not reimburse units of local government if the net cost is less than a thousand dollars for each

unit of local government affected." Will there be any counties that will come under that particular umbrella?

PRESIDENT:

Senator Vadalabene.

SENATOR VADALABENE:

Yielding to Senator Schaffer.

PRESIDENT:

Yielding to Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

Conceivably, I would think there might be a couple.

PRESIDENT:

Senator Watson, will you bring your remarks to a close?

SENATOR WATSON:

Also, under the State Mandate's Act, it says that, "The State Mandate's Act...shall not...or the State shall not reimburse units of local government if it's less than fifty thousand total for all local governments affected." Now, are we talking about...since it's going to be each county will be affected differently from a salary increase, will this be individually, collectively or how will that fifty thousand dollars apply in this particular regard?

PRESIDENT:

Senator Schaffer. Senator Vadalabene. All right. We have...Senator Watson, we have eight additional members who have sought recognition. I just want you to bear that in mind. Senator Watson, you want to repeat the question?

SENATOR WATSON:

Well, I've been sitting here for a long period of time today and we've been waiting for a long period of time for...for this action to occur and for finally to get to some order of business. So I think every member ought to have an opportunity to question the sponsor on...

PRESIDENT:

I'm not...I'm not quarreling with that.

SENATOR WATSON:

...oh, thank...

PRESIDENT:

...I...I asked if you were going to be...repeat your question. There didn't seem to be anybody...answer your question.

SENATOR WATSON:

We will repeat the question.

PRESIDENT:

Thank you. That's all I asked.

SENATOR WATSON:

Under the...the State Mandate's Act it says that, "The State shall not reimburse units of local government if the less...less than fifty thousand dollar total for all units of local government affected." Now, since each county is affected individually in different amounts, how is this going to affect the counties? Will we have a...will this be total or...total collectively or individually or how is this going to affect the counties? Will they be reimbursed?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I'm under the impression and staff...also informs me, we are talking collectively Statewide. If all the counties in the State get to the point where it's less than fifty thousand, all one hundred and two of them, at that point, the program is deemed not to have enough Statewide impact to be...to fall under the category.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Senator, would...would you explain how the State Mandate Act is going to...to apply here in regard to the percentages and its increment increases? That wasn't explained by the

sponsor.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAPFER:

..let me do this, if I can, Mr. President, to expedite...since I'm...my light was one of those flashing. You'll recall when the bill left the Senate, I made some statements and I suggested to you that we would try and get this thing...phased in over a period of years, and that's what this Conference Committee says, and we thought we'd try and work out some language on the mandate that, frankly, was sellable to the second floor and didn't have a major State impact that would, in fact, cushion those counties that...that should, in fact, be cushioned. I think most people know there are several...I think we call them revenue enhancers moving through both bodies, at least one major one that is signed off by everybody including the Taxpayers' Federation at last count. And it's obvious that the counties, particularly the larger counties, at least at this point, my reading of the situation...although the way things have been going around here, I'm not sure my reading is any better than anybody that's watching the fireworks out there. The fireworks are over, I didn't even know that, it's probably there better. The simple fact is that most counties would have granted a pay increase of some sort. So rather than make the assumption, we're going to pick up every dollar of the pay increase, we assume that they would be giving a five percent a year pay increase which is not unusual and most counties have done that, and...what in effect we have said is anything above...if a county increase is above the five percent a year for the four-year term, that falls under the Mandate Act. In other words, they would have done it whether we pass this bill or not in 99.9 percent of the cases, I suppose, unless you had a real bitter fight between

a county board and a officeholder of maybe the other political faith. And this way instead of hitting the State for something that we really weren't responsible for, we only are cushioning those small counties that would in fact have been hit rather heavily and...and those, I think, were the counties that you addressed in your remarks when the bill got passed. Frankly, nobody is particularly worried about DuPage or Kane or Lake or McHenry or Winnebago, those counties I think will do quite well by this General Assembly. The bill is an attempt to compromise with the people who have problems with it. When it came through here the last time, obviously, you know, some people like pay raises and some people don't, we all understand that, but we have, I believe, kept faith; we have phased it in over a period of years. We have a workable mandate provision that will help the counties that needed to be helped, and I think it's a good faith effort. Let me...add one other comment, the supervisors of assessments were added here and you want to know why...I mentioned earlier what we've attempted to do with this bill, which will be a first for the General Assembly, is put all the county officials, save the two that we passed salary increases for last year, in one bill with the uniform salary levels so they won't be back next year with one or two this year and one or two next year and a couple of more the year after that. And by staggering this over a period of years, we have effectively taken ourselves out of the salary business for a four-year period, which frankly appeals to me because I'll have my pension locked on in four years, and I won't have to fight this horrible fight again, 'cause it's always a painful thing. That was a whimsical comment; the voters have that choice, obviously, whether I get to lock it down or not. But...anyway, I think it's a reasonable compromise and I present it at least as one of the cosponsors to you as keeping faith to what we said we would do when this bill left the

Senate.

PRESIDENT:

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members. I stand in opposition to this bill and for a very simple reason. I don't believe that this Body should be involved in setting minimum salary standards for local units of government when, in fact, those local units of government have the ability to set whatever salary standard...salary level they wish. Now, the argument that has been offered in the past to us is there are selected county boards around the State who for one reason or another don't wish to pay their elected officials with a pay level that is commensurate with the job that they do. Now I have the...the salaries for county officials from around the State...for all the counties around the State for several of these positions, and as I review this, I don't see where really they have a problem; and if you would view it from the aspect that members of this Body receive or will...after July 1st, after midnight, thirty-two thousand five hundred dollars for representing between a hundred and ninety-five thousand and two hundred thousand people. As an...is an example, as I look at the pay scale for some of the small counties around the State, for example, Grundy County, their clerk makes twenty-five thousand, that represents thirty thousand six hundred people. Kendall County, the clerk make twenty-six thousand seven-eighty and represents thirty-seven thousand two hundred. Knox County, twenty-four thousand dollars and represents sixty-one thousand six hundred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Mahar, can you bring your remarks to a close?

SENATOR MAHAR:

Yes, sir. And...and...now maybe the case might be made that some of the smaller counties such as the coroners...such

as Hardin County, where the coroner makes six thousand dollars that maybe that is not commensurate with the job they do, I take exception to that. In Hardin County there's only fifty-three hundred and eighty-three people in the whole county. Now unless they're dropping like flies in Hardin County, I would suggest that the coroner's position is not a full-time job and the pay that they're getting is commensurate with their responsibilities. Thank you.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, if I understand this so-called compromise that has been presented to us...really, you can forget the first column, I think that was the point that Senator Watson was making. That really isn't going to affect anyone or...a very few at...at best. So, really, you're only talking about the figures that appear in the second column, and if you will notice, they're all just two thousand dollars less than what appears in the third column. So this is really not a phase-in in the true sense of the word, it's a...a two-step process that will be completed after one year after the election, and everybody will be right up to that figure that was originally proposed in the original legislation. So let's not kid anybody here that we're doing anything for county government, that we're giving them any kind of a break or anything of the sort. We're barely taking any of the pain out of this bill. So the way I look at it, really, 1552 really hasn't been improved from what it...the way it was originally introduced.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Coffey.

SENATOR COFFEY:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

Yes, the...the State's Mandate's Act has...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Vadalabene...

SENATOR COFFEY:

...I know it's been discussed, but as I understand by our analysis, December 1st, 1989...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Coffey, just a moment...who...Senator Schaffer, I think he's addressing a question to you. Senator Coffey.

SENATOR COFFEY:

...as I understand, December 1st, 1989, the State's Mandate...State's Mandate's Act does not apply. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

As I...I mentioned that, we picked the stipend up for a number of years and the thought that you don't want this to go on forever is, quite frankly, by the end of that time most of these counties...these physicians would have cleared where the minimums are anyway, if they had just been given the nominal five percent a year raise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

Well, just to the...to the bill then. You know, I...I rise in opposition. This bill is worse...in my opinion, than it was when it left the Senate. One of my counties, Coles County, for instance, the cost for those increases is going to be just a little under a hundred thousand dollars a

year. Now, we're going to pick that cost up for the first part of the term, and then after that, we're going to leave it back to the counties. We're going to make them think that we're going to pay this bill and, in fact, we really aren't except for the first payment, then it's going to go back on to those counties. I've contacted the five counties I represent, there is not one county to the number...each county board member would...accepts this proposal, and to say that, in my counties, that they're going to have these kind of increases...that they're going to have these types of increases in the next four years is just not true, because we're talking about close to a hundred percent increase, and in our county, they're talking about a special referendum to try to come with enough money to run the government as it is and then we're getting ready to put this extra burden on them. I think this is a bad bill, it's too expensive. We ought to leave it up to the county boards who are elected to make this decision, but they can raise that if they have the revenues and if they see it's fit, and it's not political, we have...the county board members both Republican and Democrat and we have county officials both Republican and Democrat, and I think we ought to kill this bill and let that decision be...at the county board level. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...I have a question...and I'm sorry if it's been asked, but I...I did not hear it. We are now mandating a salary increase for the supervisors of assessment who are not elected?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Four of them are elected, ninety-eight are not.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, thank you, Mr. President. I've been for this bill all along but I...you know, next thing we're going to mandate the salary for the janitor in the courthouse. Why in the world are we doing the supervisors of assessments? They hire on at a salary, they negotiate that salary...their...their celery with the county board. For crying out loud, why are we putting them in...on this Act and, you know, it just seems like we're going to take the ethanol tax and...increase that and pay county supervisors of assessments. I think... (machine cutoff)...wrong.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Roll them...let's roll them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate...shall the...shall the Senate adopt the first Conference Committee report on House Bill 1552. 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 29, the Nays are 26, 2 voting Present. The Senate does not adopt the Conference Committee report and the Secretary shall so inform the...Senator Vadalabene, do you request a second Conference Committee? All right. Senator Vadalabene has requested...a second Conference Committee, and the Secretary shall so inform the House. House Bill 2426, Senator Sangmeister. 2426, Senator Sangmeister. 2426, Mr. Secretary.

SECRETARY:

First Conference Committee report on House Bill 2426.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yes, this is the department's Boat and Registration Safety Act. We put three amendments on and sent them over there. I'll be happy to discuss every one of those amendments, none of them were controversial. The only reason we're doing this is there was a decision in the 3rd District Appellate Court that said a sailboard was not a watercraft. You know, all these young people who wind surf? The department wants it made very clear that they...they are, in fact, a...a boat that comes under the Boat and Registration Safety Act, and then they're going to exempt them from registration requirements so they don't have to pay any fees and they can go into areas that are designed for swimming only and all that kind of good stuff. I can't find a thing wrong with this, I'll be happy to answer any questions. If not, the motion is to do adopt...the first Conference Committee...report on House Bill 2426.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on House Bill 2426. 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 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 2426 and the bill having received the required constitutional majority is declared passed. 207, Senator Marovitz. 320, Senator Luft. House...Senate Bill 320, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 320.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 320 provided UC and WC grants awarded by DCCA. When it came back from the House it had an amendment allowing anyone in...corporation in existence prior to 1976. We eliminated that amendment and put a cap of five million dollars on the program. And I would move to accept the Conference Committee report to Senate...No. 1 to Senate Bill 320.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President...members of the Senate. House Bill 320...as amended and coming out of Conference Committee may be just a little bit better. This is the bill, as you may recall, that has DCCA...has the State Treasury of Illinois paying unemployment insurance...fifty percent of the unemployment insurance for new businesses in Illinois and also worker's comp. Now, what we've done in Conference Committee apparently is to take out the amendment that we put on that would have extended it to nineteen businesses before...established before 1976. Now that may help a little bit but it seems to me that the major...the fundamental flaw in this bill still exists, and that is that if worker's comp. and unemployment comp. insurance costs are too high for businesses in the State of Illinois...we recognize that and we're going to give new businesses a break. They're too high for businesses that have been here in the State of Illinois for some time. And if adjustments in those costs, worker's comp. and unemployment insurance, are going to be made they should be made in other ways, it seems to me, than tapping into the State Treasury and paying it out of that source. So I would recommend that we don't accept this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

How...how will it be decided who gets these...these grants?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

By the Department of Commerce and Community Affairs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Fawell.

SENATOR FAWELL:

Are...are there any rules or anything or just...first come first serve or...or...I mean, you know...five million dollars to the first group that asked for it or how do we do it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

This bill is strictly permissive. It allows DCCA to do the negotiations, it has to be a manufacturing or heavy industrial firm moving into the State of Illinois that creates in excess of one hundred jobs.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Senator Luft, this doesn't have that amendment that...Representative Tuerk put on over in the House, does it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

That amendment is gone.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Good.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sommer.

SENATOR SOMMER:

Well, I intend to speak in favor of this particular measure. There are...in our home communities there are over fourteen thousand out of worker's laid off. Mitsubishi is looking at two sites in there and any kind of incentive we can give to something like that to help our communities that are in very desperate straits, I'm going to support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question, the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Is there anything in here to help every employer in Illinois in their worker's compensation costs and unemployment costs, or are we going to leave the system unchanged and make certain grants to certain companies? Is that...is that the way this works?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Luft.

SENATOR LUFT:

My feeling is if the Chrysler Mitsubishi Plant moved into Morton or Bloomington and we put three thousand people to work and took three thousand people off of unemployment, with

the average check of about a hundred and thirty a week, with the average person drawing that check about ten weeks, we would relieve a lot of liability on the trust fund, therefore, hoping to take the surcharge that is on that trust fund off at the present time. Senator, the only thing...I mean, you can argue the point whether we're high or low. I sat with your Governor for a half-hour discussing this bill at one point. We tried to develop language that could help the present employer in the State of Illinois, we could not do it. We thought it was very...important at this time to have something to lure any new industry into the State of Illinois, therefore, Senate Bill 320 in its present form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Schuneman.

SENATOR SCHUNEMAN:

Well, we won't belabor this. We've talked about this issue, I think this is the third time it's been presented to the Senate, apparently, isn't considered to be a very popular idea in the House; but certainly, if there was ever an admission that we need to reform the worker's comp. and unemployment compensation system in this State, this is the bill that is the admission of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Luft may close.

SENATOR LUFT:

I would simply ask for the third favorable roll call, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the...first Conference Committee report on Senate Bill 320. Those in favor will vote Aye. Those opposed 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 44, the Nays are 13, 2 voting

Present. The Senate does adopt the first Conference Committee report on Senate Bill 320 and the bill having received the required constitutional majority is declared passed. 560, Senator Vadalabene. Senate Bill 560, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 560.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

(Machine cutoff)...yes. Senate Bill 560 increases the maximum...allowable tax rate for library districts and local libraries from forty percent to sixty percent subject to referendum, and it rewrites the provisions relating to the transfer of territory from one library district to another and requires the consent of the expanding district and provides for supervision by the circuit court. The forty percent to sixty percent was the error in the first bill and had to be...had to be corrected in this Conference Committee, and I move for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on Senate Bill 560. 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 59, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 560 and the bill having received the required constitutional majority is declared passed. 856, Senator Geo-Karis. 8-5-6, Mr. Secretary, Senate Bill.

SECRETARY:

Senate Bill 856, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Ab 856
C.C.R.

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President, Ladies and Gentlemen of the Senate, the...the Conference Committee report concurs in House Amendment 1 and 2. If you have any questions, I'll be glad to answer them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the Senate adopt the first Conference Committee report on...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I'd like a brief explanation exactly what the Conference Committee report does, very brief, but I don't quite understand it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis for a brief...

SENATOR GEO-KARIS:

House Amendment 1 clarifies current law, depositions of witnesses under the Human Right's Act. House Amendment 2 increases the size of the Illinois Human Right's Commission to thirteen members and two members...two new members' term shall be expiring on the third Monday of January, 1987. Now the other two new members' terms shall expire on January, 1989 and the...under current law, the members are paid...twenty thousand dollars per year plus expenses.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Lechowicz.

SENATOR LECHOWICZ:

Well, what do we need four new members for?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Senator, the...the amendment was put on in the...in the House and I believe that they increased the membership on

the Human Right's Commission so that they can probably do a better job.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

I'm sorry, I didn't hear the explanation of why we need four additional members for the Human Right's...Commission.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr...Senator, the...I don't see anything wrong with the amendment, I've gone through the rigamarole before. When I first brought this up, if you recall, there was a question that there were no rules and regulations of the Department of Human Rights and there were...there are and I've got it right here, I checked into that. The other question they had was as to whether or not people of foreign orgin were employed, and I got a letter showing different Polish names...German names, no Greek names on it, but other nationalities, that was the other question, if you recall, the other day that was asked of me and I got the...that information and I'm submitting it here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lechowicz.

SENATOR LECHOWICZ:

Well, I just want everybody to realize that we're...creating four new jobs in this area, not that...and there's nine now and I really don't know what those nine do. I do know what they get paid and I know how many meetings they go to, and I think that the nine is more than sufficient to compensate for the type of workload that they have, and I have...I'm opposed to this Conference Committee, that's all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise to support Senator Geo-Karis, it's a...it's a suggestion from the administration. Obviously, it's a sensitive commission and I think we ought to support the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, further discussion? Senator...Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Well, would you say that if he wasn't here, Pate? Why...why do...are these nine people...are they having a difficult time with this commission? Do they need...is it that they need four more minds to join in on this or...you know, what is the problem?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

I think what we're trying to do is diversify the different ethnics to get them into the position, more can come in on this commission. One of the criticisms that I've had on this Floor is that we're not putting any ethnics, well, that's not quite true. We'll have more room to put the ethnics in.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR GEO-KARIS:

It...ethnic...by the way, I'm not even speaking for my own ethnic.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...

SENATOR GEO-KARIS:

...I'm speaking for everyone else's ethnic background.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Joyce.

SENATOR JEREMIAH JOYCE:

Does...does...in other words, Senator Geo-Karis, your legislation specifies that these four spots, one will be a Polish origin, one will...is that how it reads?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

It doesn't read like that, but I'll guarantee you there...four spots will be...will have some...very definite impact with ethnics.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, this is...this is legislation that's going to cost over a hundred thousand dollars that we're going to just hand out here for no real justifiable reason, as I see it, other than to...yeah, other than to probably create more problems, and...and...and I am opposed to it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Geo-Karis, you may...wait a minute, Senator Jones. Senator Jones, your time is running.

SENATOR JONES:

Thank you, Mr. President. I rise...I've been...I rise in support of the Conference Committee report and it...if the Governor wants more persons on that to deal with the problems as it relates to ethnics as...on this commission, then I think we should go ahead and put those individuals on there; and I...in the wee hours of the morning...you know, tomorrow we will be dealing with the various budgets and I watch how the votes go as you...as all the pork goes on there and special interest legislation for millions of dollars. So let's not holler about a mere one hundred thousand dollar for the commission. I urge the members on this side to vote in favor

of this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis may close.

SENATOR GEO-KARIS:

Ladies and gentlemen,...Mr. President, Ladies and Gentlemen of the Senate, this does not preclude...also appointing a handicapped person to this Human Right's Commission. I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Question is, shall the Senate adopt the first Conference Committee report on Senate Bill 856. Those in favor vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...38, the Nays are 13, 5 voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 856 and the bill having received the required constitutional majority is declared passed. 859. Senate Bill 859, Senator Geo-Karis. Mr. Secretary, 859.

SECRETARY:

First Conference Committee report on Senate Bill 859.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, this conference report does retain the provisions of the original bill repealing the Amusement Ride and Attraction Safety Insurance Act. Now, don't be misled by that, we're not repealing that we passed the...the last term to the...it concurs in the...I'm asking concurrence in House Amendment 1 which requires any person or entity contracting when the...with an amusement ride operator to inform the Department of Labor of the name and address of such persons and the date and location in which the ride will be operated. It

further increases the membership of the Carnival Amusement Safety Board from three to five members. And B, it includes individuals and organizations who contract to perform safety inspections of amusement rides for the Department of Labor within the general indemnification provided State employees. I move for the concurrence of this conference report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I would like to rise in support of this. What Senator Geo-Karis is doing is not repealing the Act that I was the chief sponsor of last year in response to the mishap at the Edge. What she is doing is repealing a previous Act that was totally ineffective; in addition, she is amending the Act we passed last year so that the Governor can appoint the other two members and get the board going. It's going to be a five-member board instead of a three-member board, and I've been assured by the sponsor that the Governor is going to act very quickly in appointing the board so that we will have a quorum and so that these rides can be inspected like they should have been for the last several weeks. So I would rise in support of this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Senator Geo-Karis, are these two new appointments also going to be...ethnic?

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Geo-Karis.

SENATOR GEO-KARIS:

I don't know, but, you know, I haven't had any Greeks in any of these appointments, so you can never know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 859. 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 57, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 859 and the bill having received the required constitutional majority is declared passed...Senate Bill 882, Senator Degnan. Senate Bill 8-8-2, Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 882.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Conference Committee Report No. 1 on Senate Bill 882 provides that financial institutions may delay crediting an account for...for a deposit made by check for only a certain number of days; one day if the check is drawn on...on that financial institution, is a government check or is for less than fifty dollars; five days if the check is drawn on an institution with an office in Chicago and eight days for all other institutions. This...this concept has been here before, it passed out of this Body 55 to zero. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator DeAngelis.

SENATOR DeANGELIS:

Senator Degnan, will this allow a bank to consider to be not deposited within this time frame?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

I didn't hear the question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Will this allow a bank to declare these uncollected funds if they stay within this time frame?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

If...if they are uncollected, yeah.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

No, I...what your bill says is that these are to be considered collected funds in this period of time. What I am saying to you, will this permit a bank to consider the funds uncollected if they stay within this time frame? In other words, can they wait five days to consider that money collected?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

No, all I'm putting is an upper limit on them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

I...I don't understand what an upper limit is?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Well, recent studies by...some nationwide organizations

and some State organizations have caused us to believe that some banks are holding checks for more than a week before crediting that money to a person's account and allowing them to deposit...to extract the money. This legislation seeks to solve that problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I don't want to belittle the point, but I think you've got a tiger by the tail here, because if you're authorizing the bank to hold it up to eight days, I don't know of a check in the western world that takes eight days to clear nor five days if it's a check drawn in the State of Illinois. You might, in fact, end up having people not being able to use their money and the banks being able to use the money if they comply with this law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Degnan may close.

SENATOR DEGNAN:

Well, I think...I doubt if the consumer who is being serviced by a bank now properly is going to have that problem. What we're trying to get at is those banks who keep checks without allowing the customer's use of his own money for upwards in some cases of twenty-one days, and I seek your approval of Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill...882. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 5, 3 voting Present. The Senate does concur with the first Conference Committee report on Senate Bill 882 and the bill having received the required constitutional

majority is declared passed. 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 concurred with the Senate, the passage of a bill with the following title:

Senate Bill 173 together with House Amendments 1, 2, 3, 5, 6, 7, 8, 11, 12, 13, 15 and 16.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Supplemental...Supplemental Calendar No. 6, Senate Bill 173, Senator Schaffer. Mr. Secretary, Senate Bill 1-7-3, Supplemental Calendar No. 6.

SECRETARY:

Senate Bill 173 with House Amendments 1, 2, 3, 5, 6, 7, 8, 11, 12, 13, 15 and 16.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. For the edification of the members who have been inquiring, it's this one little sheet that was passed out. It says Supplemental No. 6, everyone seems to have it. Senator Schaffer.

SENATOR SCHAFFER:

This is, believe it or not, a supplemental for FY '85 which I guess would be appropriate to pass in the last twenty minutes of FY '85, was resurrected from the grave in the House not several hours ago. There are a series of House amendments on there, I'd be prepared to go through it, that were added. My...my understanding is that those...items that are not necessarily totally meritorious will be...judiciously handled by the Executive Branch. I would be happy to answer any questions, there are some more school bands in here and stuff like that. I don't think there's anything here that's particularly offensive and it will be judiciously handled, but I think we obviously have to pass it before midnight.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Has this Conference Committee report been distributed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, it is a concurrence.

SENATOR LECHOWICZ:

Oh, it's a concurrence?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Yes, sir.

SENATOR LECHOWICZ:

I'm sorry, I misunderstood that. Could you explain what the concurrence motion is equivalent to?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAPPER:

I'd be happy to but some of you may be earning more money when I finish. I thought you'd be happy about that. All right. House Amendment No. 1 transfers sixteen thousand dollars for the Prisoner Review Board. It appropriates fifty thousand dollars for FY 1985 membership in the Midwest Technology Development Institution, five hundred and fifty-eight thousand four hundred dollars for the Small Business Development Center, twenty-eight thousand for employees against DCCA for... judgments against DCCA by former employees, twenty-five thousand dollars for repayment of prior year disallowed costs on CETA programs, 2.5 million for Community Block Grants for grants for eligible recipients. This is money recaptured from previously... unexpected grants. Section 3 is the Department of Mental Health and Developmental Disabilities for fifty thousand dollars for Federal projects, this is a transfer by the way. Section 4, public aid is fifty thousand dollars to pay the judgment of... versus Miller, I think most of us have heard that before. Section 5 is Public Health and

it totals some six hundred and sixty-three thousand eight hundred dollars of which five hundred and fifty thousand is GRF, a hundred and thirteen eight hundred is Federal for various grant...items as follows; three hundred thousand for medical grants for persons suffering from chronic renal disease, two hundred and fifty thousand for medical care grants for persons suffering from hepatitis, twenty-four thousand nine hundred dollars for the...Rape Victims' Assistance Fund, twenty thousand dollars for hypertension grants to allow total utilization of Federal funds, sixty-eight thousand nine hundred dollars for prevention programs to totally allow utilization of available Federal funds. Section 6 is the Department of Revenue, a supplemental appropriation of some forty million dollars for grant refunds to utility corporate income taxpayers for...or for FY '85. Okay. Section 6.1 is the banks and trusts, eighty-nine thousand transfer for lapsing funds. Section 7 for the Department of Transportation for one million seven hundred thousand dollars. It's a supplemental to...for the purchase of salt for Districts 1 and 2. Section 8 is the Secretary of State, twenty-five thousand dollars for the literacy programs. Section 9 is the State Board of Education, transfers some ten million seven hundred and five thousand five hundred and fifty-six dollars for transfers between line items for the remaining...unallocated funds, I believe that's to fully fund several categoricals. The Board of Regents makes a transfer...the central office of some twenty thousand dollars between Personnel and Contractual line items. Department of Labor transfers some seventy-two thousand dollars from Personal Services to Contractual Services for the Carnival Amusement Rides Division. Section 12 is the Historical State Library, some ten thousand seven hundred dollars for general...GRF reimbursement. I believe that's when we brought those people over from Conservation. Section 13 is Mines and

Minerals for forty-one thousand two hundred dollars for Contractual for personnel services to prevent some layoffs. Section 14 is Military and Naval, transfers some fifty thousand GRF to meet telephone costs for the balance of the...fiscal year. Section 15 is Veterans' Affairs. This section...well, evidently, it's a correction of an erroneous earlier amendment. Section 16 is the Administrative Office of the Courts, some one hundred and seventy-six thousand seven hundred and fifty dollars for lump sum awards for the circuit clerks for counties of one thousand or less for additional...duties. Section 17 is a no dollar transfer for...I guess, it's a language change for some building modifications. Section...that was House Amendment 1. I, by the way, have a total of sixteen amendments. House Amendment 2 is Capital Development Board for a hundred and twenty-five thousand...Senator Lechowicz, should I continue?

PRESIDING OFFICER: (SENATOR DEBUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

...thank you, Mr. President. I just want to point that this...meager concurrence is a hundred and forty-seven million dollars in total, and it also points out that the Department of Revenue has now come in for the third time for a...additional money to reimburse businesses on the unity tax, and it's...I would just like to point for the record that this is approximately a hundred and eighty million dollars this year. I would hope to God they would budget it properly next year. I have no further questions. Move that we should also concur in this...in this bill.

PRESIDING OFFICER: (SENATOR DEBUZIO)

All right. Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

A...question of the sponsor. Senator Schaffer, as I look at our analysis on House Amendment 2, it says that it appro-

priates a hundred and twenty-five thousand dollars to the Capital Development Board for park and conservation programs. Is that a misprint?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Probably honesty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? The question is, shall the Senate concur in House Amendments 1, 2, 3, 5, 6, 7, 8, 11, 12, 13, 15 and 16 to Senate Bill 173. 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 44, the Nays are 10, 1 voting Present. The Senate does concur in House Amendments 1, 2, 3, 5, 6, 7, 8, 11, 12, 13, 15 and 16 to Senate Bill 173 and the bill having received the required constitutional majority is declared passed. All right. We will now revert to the regular Calendar, it was passed out this morning. The regular Calendar, page 2, Senate Bill 451, Senator Sommer. Mr. Secretary, Senate Bill 451, page 2 of your regular Calendar.

SECRETARY:

(Machine cutoff)...Bill 451 with House Amendments 1, 2, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15 and 17.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, I would move that we concur in all of the amendments. This matter should be on your desks and has been on the desks all day. I'd be happy to ask any...answer any questions concerning them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? If not, the question is, shall the

Senate concur in House Amendments 1, 2, 3, 5, 6, 7, 9, 11...10, 11, 12, 13, 14, 15 and 17 to Senate Bill 451. 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 54, the Nays are none, 1 voting Present. The Senate does concur with House Amendments 1, 2, 3, 5, 6, 7, 9, 11,...10, 11, 12, 13, 14, 15 and 17 to Senate Bill 451 and the bill having received the required constitutional majority is declared passed. Top of page 3, Senate Bill 461, Mr. Secretary. Senator Bloom. Mr. Secretary, 461. SECRETARY:

Senate...Senate Bill 461 with House Amendments 1, 2, 3 and 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

Move we nonconcur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom...moves to nonconcur with House Amendments 1, 2, 3 and 4 to Senate Bill 461. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senate Bill 477, Senator Bloom. Mr. Secretary, Senate Bill 4-7-7. SECRETARY:

Senate Bill 477 with House Amendments 1, 2 and 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

I think we move to concur with this. Are we concurring, Senator? Yes, I would that we concur with the House amendments. They add back some contractual money, not...not as much as perhaps the agency would like but I think we've concurred.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Any discussion? All right. The...the question is, shall the Senate concur with House Amendments 1, 2 and 3 to Senate Bill 477. Those in favor vote Aye. Those opposed 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 54, the Nays are none, 2 voting Present. The Senate does concur with House Amendments 1, 2 and 3 to Senate Bill 477 and the bill having received the required constitutional majority is declared passed. Senate Bill 478, Mr. Secretary.

END OF REEL

REEL #4

SECRETARY:

Senate Bill 478 with House Amendments 1 through 7.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I'd like to do a little bit of concurring and a little bit of nonconcurring tonight. I'd like to nonconcur on Amendments No. 1, 4 and 7, and I'd like to concur on Amendments 2, 3, 5 and 6.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right. Senator Kustra moves to nonconcur in House Amendments 1, 4 and 7 to Senate Bill 478. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries. Senator Kustra. Senator Kustra moves to concur with House Amendments 2, 3, 5 and 6 to Senate Bill 478. Any discussion? If not, those in favor...the question is, shall the Senate concur with House Amendments 2, 3, 5, 6 to Senate Bill 478. Those in favor...will vote Aye. Those opposed Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. The Senate does concur with House Amendments 2, 3, 5 and 6 to Senate Bill 478 and the bill having received the required constitutional majority is declared passed. Senate Bill 481, Mr. Secretary.

SECRETARY:

Senate Bill 481 with House Amendments 3, 4, 5 and 7.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Mr. President. I move we nonconcur with...with House...with House Amendments 3, 4, 5 and 7 and ask for a Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dudycz moves to nonconcur in House Amendments 3, 4, 5 and 7 to Senate Bill 481. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion carries and the Secretary shall so inform the House. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. I would, with leave of the Body, ask that we now move immediately to Supplemental No. 5...Calendar Supplemental No. 5. There's a Conference Committee report, copies of which have just been distributed after yeoman work all day by Senator Berman and Maitland and others on Senate Bill 730.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll move to Supplemental Calendar No. 5. The only bill that's contained is Senate Bill 730. Mr. Secretary.

SECRETARY:

Senate Bill 730, the first Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Berman. Senator Berman on the Floor? Senator Schaffer.

SENATOR SCHAFFER:

Defer to Senator Philip.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and...Gentlemen of the Senate. As you know, I had asked Senator Rock earlier this evening that we had to have a Republican Caucus before we went to Senate Bill 730. So, I'm requesting that caucus.

We'll try to get back as soon as possible.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. That request is in order. The Senate will...Senator Rock.

SENATOR ROCK:

...that...that request is in order. The fact is, I think that this bill has been so well drafted and so well put together, I am sure they will come out of their caucus unanimous. I move we adjourn until ten o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves that the Senate stand adjourned till ten o'clock tomorrow morning. Well,...Senator Hall, for what purpose do you arise?

SENATOR HALL:

I just wanted to congratulate our colleagues here, at the stroke of twelve, many of them will go into a different...pay scale and I know we who do not want to congratulate all of you. Best of luck and break a champagne bottle.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Just to make sure that the Republican members...know we are still having a caucus immediately in Senator Philip's office, and to lament the fact I'm not one of the people getting a pay raise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Ten o'clock tomorrow morning.