

94TH GENERAL ASSEMBLY

FIRST SPECIAL SESSION

JULY 8, 1985

PRESIDENT:

The Senate will please come to order. Will the members by at their desks and will our guests in the gallery please rise. Prayer this afternoon by the Reverend Anthony Tzortzis, St. Anthony's Hellenic Orthodox Church, Springfield, Illinois. Father.

REVEREND TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDENT:

Thank you, Father. Communication from the Secretary of State.

SECRETARY:

To the Honorable Kenneth Wright, Secretary of the Senate, Statehouse,...Room 401, Springfield.

Dear Sir - I am enclosing herewith a copy of a proclamation issued by Governor James R. Thompson, filed with my office this sixth day of July, 1985,...given under my hand and great Seal of the State this sixth day of July, A.D., 1985. Signed, James Edgar, Secretary of State.

(Secretary reads Proclamation from Executive Department)

PRESIDENT:

Senator Savickas, for what purpose do you arise?

SENATOR SAVICKAS:

Just to let the record show that Senator Nedza is absent due to his official business in China.

PRESIDENT:

The record will so indicate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. While we're awaiting the arrival of the printed second Conference Committee report on House 993, which is literally the only thing we are to con-

sider in this Special Session, in order to properly constitute a Special Session, we filed with the Secretary five resolutions necessary to conduct our business. And I would ask that the Secretary if...with leave of the Body, go to that order so we can adopt these five Senate resolutions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Mr. Secretary.

SECRETARY:

Senate Resolution No. 1 offered by Senator Rock.

(Secretary reads SR No. 1)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Senate Resolution No. 1...just exactly what it says, that we adopt our...our rules as the temporary rules for the first Special. I would move to suspend the rules for the purpose of the immediate consideration and adoption of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion...to...of Senator Rock. Those in favor indicate by saying Aye to suspend the rules. Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution No. 1. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution No. 1 is adopted. Senate Resolution No. 2, Mr. Secretary.

SECRETARY:

Senate Resolution No. 2 offered by Senator Rock.

(Secretary reads SR No. 2)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. This...Senate Resolution 2 reconstitutes the committees and the officers and I would

move for the suspension of the rules and the immediate consideration and adoption of this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion to suspend. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution No. 2. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution No. 2 is adopted. Senate Resolution No. 3, Mr. Secretary.

SECRETARY:

Senate Resolution No. 3 offered by Senator Rock.

(Secretary reads SR No. 3)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Senate Resolution No. 3 merely informs the House that we are here, as we were last week, and ready to transact business. I would move for the suspension of the rules and the...immediate consideration and adoption of Senate Resolution 3.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. You've heard the motion. Senator Rock has moved the suspension of the rules and immediate consideration and adoption of Senate Resolution No. 3. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution No. 3. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution No. 3 is adopted. Senate Resolution No. 4.

SECRETARY:

Senate Resolution No. 4 offered by Senator Rock.

(Secretary reads SR No. 4)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of...of the Senate. Senate Resolution No. 4 merely is to put a committee together to inform the Governor that...at his request we are here and...ready to do business. And I would move for the suspension of the rules and the immediate consideration and adoption of Senate Resolution 4.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the...suspension of the rules and immediate consideration and adoption of Senate Resolution 4. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution No. 4. Any discussion? If not, those in favor...indicate by saying Aye. Opposed Nay. The Ayes have it. Resolution No. 4 is adopted. Resolution No. 5, Mr. Secretary.

SECRETARY:

Resolution No. 5 offered by Senator Rock.

(Secretary reads SR No. 5)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Resolution No. 5 calls for the activity of the first Special Session to be journalized and copies of the Journal to be afforded to the membership. I would move this...to suspend the rules and ask the immediate consideration and adoption of Senate Resolution 5.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved the...has moved to suspend the rules for the immediate consideration and adop-

tion of Senate Resolution No. 5. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Resolution No. 5. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Resolution No. 5 is adopted. Channel 20 has requested permission to tape the proceedings. Is leave granted? Leave is granted. Resolutions.

SECRETARY:

Senate Joint Resolution No. 1 offered by Senators Rock and Philip.

PRESIDING OFFICER: {SENATOR DEMUZIO}

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the...of the Senate. Senate Joint Resolution No. 1 calls for the creation of a joint committee on McCormick Place to be composed of sixteen legislative members, four each to be appointed by the Speaker, the President and the Minority leaders of the House and the Senate to conduct a study and report to this Assembly on or before October 2nd, 1985, with respect to the difficulty that McCormick Place apparently now finds itself in or the governing body in that there have been cost overruns on the McCormick Place Annex Project which threaten the timetable for completion; and the fact is in order to accommodate those cost overruns, this Assembly will be called upon to take some action either in...increasing the bonding authorization or...increasing the expenditure cap. And so we are asking that this sixteen-member committee be appointed for the purpose of studying and gathering information and making a recommendation to the Assembly. I would ask for the suspension of the rules and the immediate consideration and adoption of this resolution pointing out that...apparently close...close to the close of business last

Friday night in the House there was a similar if not identical House joint resolution that was passed in the Regular Session; the Regular Session has now adjourned until October the 2nd. So in order to formulate this committee we are considering and I hope to immediately consider Senate Joint Resolution No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

I'd like to inquire of the Chair whether or not we may, by law, consider this. We are in Special Session, could you give me an answer and some documentation with respect to your answer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...a moment, we'll check it momentarily and get right back to you. Senator Kustra, for what purpose do you arise?

SENATOR KUSTRA:

Thank you, Mr. President. Every time I get up to speak on McCormick Place my microphone falls off its...stand here...there must...somebody is trying to tell me something. I...well, I rise in support of this resolution, but I...I do so reluctantly because I happen to think that we had a solution to McCormick Place. It passed out of the House with eighty-eight votes and it got over here and I really don't know what happened. It obviously didn't have the support that it would have needed to...to pass this Body and, consequently, we wind up with what I think is a...a second best solution. I'll support it but I would hope that that sixteen-member committee looks carefully at what came out of the House, because there's restructure in there and a new organization for McCormick Place that I think makes sense. I'm not so sure we have to go to all this trouble to do what has already been done pretty doggone well in the Illinois

House. It's too bad we don't have that to vote on right now, I'd certainly vote Aye. In the interim and instead of that, I'll support this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I ask leave to be...all the sponsors and cosponsors that resolution on McCormick Place be added to this resolution. That matter was never called; basically, it's the same type of a investigatory resolution asking that the sixty million dollars before it's approved certain answers be generated and brought back to this General Assembly. So, Mr. President, I ask leave that the members who are on my resolution be added to this resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, could you give us the number of the resolution, sir?

SENATOR LECHOWICZ:

You'll have to ask the Clerk, I don't know.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right...

SENATOR LECHOWICZ:

Number 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator...Senator Lechowicz...has requested leave to be added, himself and the members who are on a similar resolution which the Clerk will check. Is leave granted? Leave is granted. Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President, I believe this is a very important resolution, it should be adopted by this Body. The newspapers in the past couple of weeks have pointed out certain possible irregularities at McCormick Place, and I believe in order to

justify the expansion or the continued expansion at McCormick Place not only the...should we be assured but the general public and every citizen of Illinois should be assured that the money that was spent and allocated by this Body to McCormick Place was spent wisely and in the most prudent manner. And the allegations as far as whether they be excessive attorneys' fees, bond fees and the possibility of additional bond fees or attorneys' fees with this additional sixty million dollars supplemental appropriation, that matter should be thoroughly looked into so no one is double billed or the people...or the taxpayers of Illinois are charged one penny more than it's entitled to. I believe that there are certain allegations that have been brought up by McCormick Place that are probably true and others are not true. I believe the President has addressed this thing in a very sensible manner stating that sixteen members be appointed and an investigatory committee be established with a report not only to the membership of the General Assembly but to the general public at large. I would hope that this Body would vote unanimously on behalf of this Senate joint resolution so that the people of Illinois can be assured that...if...if anything did transpire, that it'll be brought to the proper court of justice and I would hope that we will find that the money was used prudently and expeditiously on behalf of the people of Illinois. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats.

SENATOR KEATS:

Just to clarify a point on the resolution. This resolution deals only with the cost overruns. It is our understanding and we thought the agreement was that they were asking questions concerning the operations of McCormick Place and the cost overrun. I want to make sure there's no misunderstanding that this investigation is not limited to bond-

ing, that the...that this in reality deals with the operation of McCormick Place, part of which is the construction problem.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Reading the resolution I notice the...the reporting date is on or before October 2nd. I might suggest to you that the Governor may in his wisdom call us back or before that date. I would hope that this commission would try to report back to us before that date, because I think a lot of the members particularly on this side of the aisle are not going to want to try to solve the McCormick Place problems until our commission reports back to us with some kind of suggestions and recommendations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Jeremiah Joyce, in response to your inquiry, my high priced...Parliamentarian tells me that the resolution may...may properly be considered in this Special Session because, one, the subject matter is within the purview of the Build Illinois call of the Special Session by the Governor and, secondly, that the matter is not a bill, it is a resolution. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Two things. I would like to first know where...in...in what source he is citing for the distinction between resolutions and bills with respect to Special Sessions, which is what I had asked for in my initial inquiry, if you recall. Would you...would you give me a cite please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...the...the fact that there is a section in the Conference Committee report referencing McCormick debt service, it is the opinion of the Chair that the resolution

then falls within the purview of the call. Senator Joyce.

SENATOR JEREMIAH JOYCE:

So, you have backed off the ruling with respect to a distinction between resolutions and bills insofar as Special Sessions are concerned?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...

SENATOR JEREMIAH JOYCE:

Is...is it my understanding that any time that there is a Special Session that this...this Special Session may undertake consideration of resolutions, no matter what the subject matter of the resolution?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock.

SENATOR ROCK:

Well, it...it...no...I don't think that's a fair characterization of the ruling. The subject matter...the House bill...the second Conference Committee report on House Bill 993 will call for the expenditure of twenty seven million dollars in debt service in favor of the Metropolitan Fair and Exposition Authority. So there is a...a connection because as the resolution recites, it is apparent that at some point the request has already been made for additional bond authorization. And the fact is, what all we're saying is before we deal with that request, given the fact that we are today appropriating twenty-seven million dollars for last year's debt service, that we're calling for an investigation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, the fact of the matter is, Senator Rock, you cannot be both the offerer of the resolution and then the...arbiter or the decider of...of what the ruling is on this. Now the Chair has made a ruling, I'm inquiring of the

Chair not of you, and I'm not asking for your explanation of what the Chair has stated here. The Chair has said that there is a distinction between resolutions and bills. Now, is it...is it...is the Chair still of that opinion, and if so, would you provide me with some cites? If you are not of that opinion, if you are backing off of that ruling, if you are saying that the basis of your ruling on this matter is now that by some stretch of someone's imagination here that McCormick Place and what has gone on in McCormick Place, whether we're on a witch hunt or a whitewash, is part of the Build Illinois Program, then is that what you are saying?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The...it seems to me that it's been...it has been clearly stated that the...that the matter before us is...is within the purview of the...of the special call of the Governor and that is the ruling of the Chair, there is no citing. Further discussion? Senator Rock. Senator Joyce.

SENATOR JEREMIAH JOYCE:

Well, I would like to know for my own information and for...you know, we...we do bend rules around here, but at some point we have to say something stands for something. Can you...by your ruling, can you consider resolutions during Special Sessions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce, we've just handled five resolutions already. Senator Joyce.

SENATOR JEREMIAH JOYCE:

There was, I am told...at least I am led to believe...Senate President Rock said that there was statutory basis for the consideration of those resolutions, that they were, in fact, required.

PRESIDING OFFICER: (SENATOR DEMUZIO)

(Machine cutoff)...Senator, it...it seems to the Chair that if this resolution were not related to the subject mat-

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ter that was before us in the Special Session that it possibly could be ruled out of order, but in...under this instance it is clearly within the purview of the Build Illinois Program, and therefore, it is the ruling of the Chair that it is, in fact, in order. Further discussion? Senator Rock. Senator Rock moves for the...for the suspension of the rules and the immediate consideration and adoption of Senate Joint Resolution 1. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves for the adoption of Senate Joint Resolution 1. Those in favor of the Senate Joint Resolution 1 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, none voting Present. Senate joint resolution is adopted...Senate Joint Resolution No. 1 is adopted. (Machine cutoff)...from the House.

SECRETARY:

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

Mr. President - Directed to inform the Senate the House of Representatives refused to adopt the first Conference Committee report on House Bill 993 and requests a second Committee on Conference to consider the difference between the two Houses in regards to Amendment No. 1. Further directed that the Speaker has appointed the members on the part of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock moves to accede to the request of the House. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The motion is carried...and the Secretary shall so inform the House. We have passed out Supplemental No. 1. Supplemental Calendar No. 1 has been passed out...which reposes House Bill 993. Is there leave to have Senator Rock...handle that? Leave is granted. House

Bill 993, Mr. Secretary.

SECRETARY:

Second Conference Committee report on House Bill 993.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the...Senate. The second Conference Committee report on House Bill 993 is the reason we are all here gathered. I was informed late on Friday night that the Speaker and the Minority Leader and the Office of the Governor and the Governor had reached an agreement with respect to the budget for the agencies of State Government and were prepared to pass the budget last Friday night, particularly the Department of Public budget, on the basis that a special call would ensue from the Governor and bring us back for the consideration of the second Conference Committee report on 993 or a Conference Committee on 655 which would encompass in broad outline action similar to that which this Senate had already taken, namely, the passage of both...or the adoption of both the amendment to 655 and the Conference Committee report on 993 in general, and the members have been provided with copies and the members have been provided with a listing of what projects are specifically enumerated. But let me say in general that...the second Conference Committee report on House Bill 993 calls for three hundred and eighty million dollars in expenditures in FY '86 covering a whole host of subjects and projects: bond authorization for coal development projects, soil and water, sewer and waste water treatment, a significant commitment to the City of Chicago, and I think if you take a look, particularly the members on this side, at Section 3, there is an outline of specifically enumerated projects. Section 1 represents, as I understand it, the Governor's set of projects in the amount of two hundred mil-

lion. Section 2 and 4 represent the Republican requests in the amount of ninety million. Section 3 is the Democrat House and Senate in the amount of ninety million, again for a total of three hundred and eighty. This is our only order of business today. Upon its adoption we will be in a position to adjourn the Special Session sine die and the Regular Session has already been adjourned until October the 2nd. I'd be happy to attempt to respond to any questions. I would move, Mr. President, Ladies and Gentlemen of the Senate, to adopt the second Conference Committee report on House Bill 993.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Zito.

SENATOR ZITO:

Yes, thank you, Mr. President. I was wondering if...since the lateness of this information being on our desks, that the leadership on both sides of the aisle would...respectfully agree to a caucus so that we can understand what exactly we're voting on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I...I don't think that the moment is opportune, Senator Zito, for the reason that the Republicans, I am told, had already caucused and that we caucused at some length last week on the identical subject matter. You know, I...if...if the members want to take a few moments to read it, that's fine. I think everybody understands why we're here. Nobody was particularly happy about coming back. I was not at all pleased with House action. But the fact is, we are here, this is what...what is in front of us and it requires thirty-six affirmative votes to adopt this Conference Committee. We have provided the members with an outline of...of what is in here and...and in what amount. They have a copy of the

Conference Committee report. I am sure that those who have been tracking specific projects are prepared or have already found where they are situated within the report. And, frankly, I...I'm not sure that a...caucus or a conference would serve any purpose except to delay what I hope is the inevitable approval of House Conference Committee report on 993.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

My request for a caucus, Mr. President, was not to delay the proceedings. I would like, as a member of this Body, an opportunity to read through this and I...I realize that it's going to take thirty-six votes, but I think it's going to take more than a couple of minutes to go through all these...these papers that we have before us and to read through the Conference Committee report...the second Conference Committee report on House Bill 993.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, we do have some additional lights that are on here to...to discuss. Further discussion? Senator Hall.

SENATOR HALL:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Hall.

SENATOR HALL:

I'm looking through this. I put out a press release before I left here and I see it's been substantially reduced. The next thing is that I want to know, what assurance are we going to have that we're going to get what is even left? My experience was with the man on the second floor is that what I've got down through the years is zip. I don't know whether or not...is there any guarantee that what's in this is what

the Governor is going to sign?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

My understanding, sir, is that the Governor will sign the second Conference Committee on House Bill 993 as presented to him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...well, maybe I should rephrase that. Is he going to fund it as it is sitting here? I have dropped ten million dollars, I just see this. And the reason why I want to know that is that I want to be sure...each time that I look around here, when I go back home all that I get is a...a...a notice from the Governor that he's vetoed our projects. And what assurance do we have right now that he's not going to do this same thing again?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, I...I don't purport to stand here and speak for the Governor, I'll speak to the agreement that I understand was entered into with the House leadership and the Governor was that he would sign House Bill 993, the second Conference Committee report as presented to him.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Rock, just a quick question. Will the Governor have the authority as I have understood it from other circles or reports or whatever to cut back the appropriation from three hundred and eighty to three hundred and

twenty million dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

He has the authority under Section 8, on page 28 which says, "No contract shall be entered into or obligation incurred for any expenditure from appropriations made in this Act until after the purposes and amounts have been approved in writing by the Governor."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Poshard.

SENATOR POSHARD:

But are we funding three hundred and twenty million dollars of Build Illinois projects or three hundred and eighty...under this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Rock.

SENATOR ROCK:

Three hundred and eighty.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Poshard.

SENATOR POSHARD:

Well, thank you, Mr. President. I would like to express my appreciation to the leadership and the members of the Conference Committee who helped in terms of the projects for my area. But from what we came in with in the bills last week that went over to the House, my district went from somewhere around seven and a half million dollars down to about a million and a half, and I don't see a whole lot in here for southern Illinois, at least in the areas that we represent. I think the bill has decidedly become a Chicago and a suburban bill. I'm going to vote for it because I have to protect our projects or a least some of the out-year monies on it. But I don't like this, this isn't good, this isn't...this is

much worse for our area than the bills that we passed out of here and that I thought there was an...agreement upon that was going to go to the Governor's Desk and then at least be able to negotiate it. But, be it as it may, I guess that's the way it's going to be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

I'm looking over this list. I...I thought the Build Illinois Project was to redevelop and...and to restructure our existing sewers and highways and byways and buildings in the State and all I see here is building new projects; agricultural institutions, city halls, studies for airports, you don't see any...any...any what it was proposed to be by the Governor. The Governor proposed that this money to my mayors was going to be used to redevelop things that have become obsolete in their towns. This proposal doesn't do anything for anybody that's rebuilding, there's no rebuilding in here, this is only...this is all new projects, this is identically to the Christmas tree and the IDOT program of building new projects. What...what...what...what should we do here? You're...you're taking money out of my district...you're going to take out a hundred and fifty thousand dollars a year in taxes and there ain't nothing in here for us and there ain't nothing in there to reimprove things. One of the major...demands, Senator Rock, in the suburbs of Cook County is the sewer restructure which they were promised by the Governor. I don't see any suburban towns...every town in the suburban Cook County should get money to redevelop the sewer structure because the Federal Government has put these requirements on. There is no guarantee that this money is going to be done in these...in these projects. There's not even money in here to borrow to these towns, and you being from Oak Park ought to know this, you should stand up for

what it is. Our people don't want a new county hospital, our people know that functionally County Hospital should shut down. The hospital should be shut down and the patients should be utilized at the private hospitals. They could...these private hospitals can treat these patients for about one-third of the cost it costs us at Cook County Hospital because of the...we don't want a new hospital, we don't need three million dollars. We don't need a new arts council building, we don't need these things. We need our sewers fixed, we need some roads fixed, we need some park development, we need some...some recreational development, we ain't getting it. Redevelopment of area, it ain't in here. I think the Governor...and those people that went on board for this program, they've lied to the public. They said there was going to be a redevelopment and a restructure of existing facilities, things that have become obsolete, like bridges, roads; that ain't in here. Where is it? This is all pork, it's all baloney and it's nothing for the people of this State. It's just a robbery of money off of their backs and for things we don't need. And to spend money for new things and let all things become obsolete and deteriorate is wrong, and I have never been brought up that way and I don't think the people in this State have been brought up that way. They want their existing structures improved and restructured and recorrected. And anybody that votes for this, I think is committing suicide and...and compounding the lie that was put on the State by the Governor. I ask for a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Fawell.

SENATOR FAWELL:

I call for the previous question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Fawell, there are Senators Bloom, DeAngelis, Netsch and Senator Zito for a second time. Sena-

tor Fawell has moved the previous question. Senator Bloom.
SENATOR BLOOM:

Well, thank you, Mr. President and fellow Senators. On this...on this particular appropriation, as one who moved to revive 993 the last time it was stalled, I would say and readily concede that there are projects in here that probably shouldn't be in here and there are other proposed projects that didn't make it in here; and I think that many of the objections voiced this afternoon and before are based on an invalid premise, and the invalid premise is that somehow Build Illinois is comprised of eight separate twelve-month projects. That is not the case. And in response to the points made by some of the prior speakers, I would say that 993 has been improved somewhat, because under overall Build Illinois categories, we found that we are adding small business, large business, coal utilization that was not there before in 993. We found that under education that the university renovation, the food production, the survey equipment, very important to the development, is there. We find that EPA waste water is there, was not there before in the amounts they should have been. We find rail freight and flood control in; it was not there before in the amounts that should have been. We found soil erosion, very important in our parts of the State, especially in agricultural area, is there, was not there at all before. So all in all, notwithstanding the fact that there are provisions in here that many of us would agree are not there or should not have been there, over all, in a redirection of these expenditures, it is, indeed, worthy of our support. And I would repeat once again, do not fall prey to the fallacy that what we are doing is engaging in an exercise of adopting eight twelve-month programs. We're adopting an eight-year program that is necessary for us to do business with the world. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Netsch.

SENATOR NETSCH:

If I might, Mr. President, a couple of questions about the financing. I'm a little confused, Senator Rock. Senator Rock, you are the sponsor, aren't you? Should I address my questions to you?

SENATOR ROCK:

Yes.

SENATOR NETSCH:

All right. There are three hundred and eighty million dollars worth of appropriations for projects plus the McCormick Place debt service, the Build Illinois debt service and the expenses of the bond issuance; a total of four hundred and twenty-three million dollars appropriated in this bill. Now, I understand that the...the projects themselves apparently...are...represent, what is it, three hundred and eighty million dollars. The Governor's original fund mechanism and the one that was finally passed by the Legislature provided for, as I recall, about three hundred and seventeen million dollars. I am not quite clear where the rest of that money is coming from. I don't think that the used...so-called Used Car Tax is likely, particularly because it's not going to begin even until October now, to bring in enough to cover appropriations of three hundred and eighty million dollars for a full year. Does that mean that the Governor is, in fact, going to veto part...item veto part of these appropriations, or does it mean that he's going to sign the entire bill and simply withhold the funding on some of them, which has the same effect and which I think is always a...a very unfortunate thing for the Legislature to permit the Governor to do? And my second question is, since this amount is in excess of that which was originally provided for in the program, what are the out-year costs? Do they, in fact, go above the original 1.3 billion?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WHOI and WEEK-TV have requested permission to videotape. Is leave granted? Leave is granted. Senator Rock.

SENATOR ROCK:

Allow me to answer your second question first. My understanding is that the spending schedule will not increase the out-year costs as opposed to what we previously discussed, no. And in answer to your first question, my understanding is that there may well be some impoundment or lack of...withholding of approval for some of the projects with the intent that the spending level will be in accord with the available revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Well, I...I...I'm not quite sure I understand the game that's being played here. If the Governor is going to sign and impound for this year the full three...or some part of the three hundred and eighty million, it seems to me having signed it that that does begin running the meter, if you will, on the out-year costs. And I don't see why and how we are going to avoid an increase in the out-year costs unless he intends to impound these projects ad infinitum until the end of the project twenty-five years from now, and if that is the case, it seems to me that that is flying in the face of legislative power and legislative prerogatives and is totally unacceptable from our perspective as an institution. I'm just not quite clear what is happening.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The Illinois Information Service has also requested permission to videotape. Is leave granted? Leave is granted. Senator Rock.

SENATOR ROCK:

What is happening, and as...as I'm sure as you look through this report you can well understand, that some of the projects perhaps are not fit subjects for the entire expenditure if any expenditure in FY '86, so that he will, as I understand it, spend to the level he promised and to the level which can be supported by the revenue, namely, three hundred and twenty million dollars, and those that are not expended this fiscal year will be subject to reappropriation, which reappropriation, obviously, as has been happening every year around here for both the Capital Development Board and in particular the Department of Transportation, is again subject to legislative scrutiny.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Then the understanding of the four leaders, and obviously this is not the understanding of any of us peons since we were never in on the arrangement, but the understanding of the four leaders then is that every project which is in this Conference Committee report will, in fact, be approved and will, in fact, go forward if not this year then next year. Is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That is my understanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Then I guess I'm back just once more to my...one of my original questions. If that is correct, I do not see how at the same time we are not increasing the ultimate cost of the program above the 1.3 billion that was originally authorized.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Well, and again, the...the 1.3 billion was to have been spread out over eight years and subject from year-to-year annual review as to project and amount. What this agreement encompasses is the initial expenditure of three hundred and...or commitment to three hundred and eighty million dollars worth of front loading, spending.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I'm sorry, but that...that doesn't quite answer my question. And...and this...this is a fiscal question, Senator Rock. I'm trying to find out what we are doing here today in terms of fiscal commitment. Either we are or we are not, and I don't see how we can keep going around in...in this circle. Either the Governor is not going to allow all of these projects to go ahead, or if he is, indeed, and you have that commitment from him, then it seems to me we are committing to something more than the original amount of the authorization because this comes out to more. Or, one other alternative that has not been suggested yet is you are...you have agreed to an extension of the time during which the Build Illinois so-called pork barrel will be done. Is that a possibility?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

I...I'm sorry, I didn't hear the last part of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

I said the...there are only, it seems to me, a couple of possibilities, you have eliminated several. You said the Governor intends to approve and at some point complete every

project that is listed in this bill. You have said that the Governor does not intend to increase the out-year costs of the program, it's still 1.3 billion. So I can only see one possibility, and I...even that doesn't add up for me mathematically, and that is that instead of the program being completed in whatever it was going to be completed in, eight years or thereabouts, that it's going to be spread out over a longer period of time. Is that what the Governor's commitment was?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Rock.

SENATOR ROCK:

Well, I...I'm not sure I'm...I'm ever going to be able to answer this question adequately. But again, recall, if you will, the program as...originally introduced where there were things like forty-two million dollars for waste water treatment facilities, no specificity. Okay? What we are doing here now is taking projects that were on, as we understood it in committee, the three-, four-and five-year program and locking them in now specifically.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Zito for a second time.

SENATOR ZITO:

Well, thank you, Mr. President and members. I rise for a second time. First let me say that I don't ever remember in my years in the General Assembly being denied to have a caucus, so I will air my concerns from the Floor and please bear with me. Ladies and Gentlemen of the Senate, what are we doing here today? What are we voting on today with the second Conference Committee report of House Bill 993? The membership, I don't know about your side of the aisle, but our side of the aisle only saw this Conference Committee report minutes before we had been asked to vote on it. I

haven't had a chance and I've been reading diligently...Senator Demuzio, since you refused my request for a caucus, and I haven't caught up with all the paper work yet and I don't...know where the projects are. We've...we've had seconds to go through this, the biggest program in the history of the State of Illinois for public works, we're going to vote on it within five minutes and...and we didn't spend a dime, ladies and gentlemen, to figure out where the top priority issues in this State are. We passed programs here for a million dollars and spent forty or fifty thousand dollars studying how that money should be spent, where it should be spent and what the...best dollar for our tax dollar is going to be; yet, in this program, 1.3 billion dollars of money, we haven't spent a dime for a study to figure what we need in this State. There's no mention that I can see in this report of our subcommittee results, the boil order in Salem, a boil order for every...almost...on an average of every six days. There's no mention of Salem, Illinois, there's no address to the flooding problems of Peoria, there's nothing for the unemployment in Rockford and Carbondale; yet, we're going to haphazardly pass a bill that out of a hundred and seventy-seven members only a hundred and seventy-three have been privy to. I think it's wrong. I suggest that we defeat Conference Committee Report No. 2, realize and let the taxpayers of the State realize that we're not going to spend our time bickering about Republican and Democratic pork barrel projects, study this issue over the summer, let a bipartisan group study the top priority issues of infrastructure and the needs in this State, come back in October the 2nd, because I realize the money that we'd raise is not going to be able to be spent until that time and to do it on a fair and equitable basis so that each and every area and corner of this State is fairly represented. What we're doing here is ridiculous. Nobody wanted to be called back

into Session, certainly I did not, but now that we're here and we've got some time to look at this, I suggest we do that and be prepared to come back in the fall so that we can have a fair, concise and comprehensive plan to give to the taxpayers if we're really serious about building Illinois. I think it's wrong to pass this Conference Committee report. At best, I would ask for a Present vote so that we can have some more time.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WAND-TV has requested...permission to videotape and Nick Ladderback, a...Sweden citizen, has also asked leave to take still photos. Is leave granted? Leave is granted. Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Again, I rise in support of the adoption of the second Conference Committee, and I underline second Conference Committee report on House 993; and to my friends from downstate Illinois, let me just suggest that I think the Senator's remarks particular with respect to downstate projects unfortunately has not had the opportunity to really read through this, but if you go through Section 1 and you go through Section 2 and then 3, I think you will find an enormous commitment to downstate Illinois not the least of which is the Highway 51 and Central Illinois Expressway and...and the other roads and the waste water treatment and coal utilization and it goes on and on and on and on. And the fact is that downstate Illinois is in much better...much better shape in terms of commitment...dollar commitment than our other areas. And to my friends from suburban Cook, of whom I am one, just for instance, to suggest that this is all new stuff and not a repair of the infrastructure simply is inaccurate. Thirty-one million dollars under Section 1.12 for waste water facilities, and as I read the project list, there's about six

million dollars in suburban Cook County, in Berkeley, in Wheeling, in Wilmette, in Alsip and in Hazel Crest, right off the top of the list. Ladies and gentlemen, again, and perhaps I have been uniquely too close to this since I arrived here yesterday at the hour of one o'clock and have been arguing projects ever since, the fact of the matter is, when I stood before you before in favor of the first Conference Committee report on 993, I suggested very strongly that the County of Cook is going to pay forty-seven or forty-eight percent of the tax which pays for this thing. And it's not at all unrealistic to have a fair distribution of the project commitments across this State. And the fact of the matter is that even after yesterday when I left the Office of the Speaker at about six in the evening, the County of Cook and the City of Chicago does not fare as well as we thought it should, but we did the best we could under some very difficult circumstances. And to suggest that somehow this ought to be put over till October, that was suggested in the House last Friday on July 5th. And so it's July 8th and we're here under special call of the Governor, and if we don't pass it, we'll be here tomorrow under special call of the Governor, I suggest. We have made, I think, a fair and equitable distribution. This second Conference Committee report has just been approved by the House of Representatives with ninety...ninety affirmative votes. I would ask that the Senate adopt the second Conference Committee report on House Bill 993 and I urge an Aye vote by all present.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the second Conference Committee report on House Bill 993. 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 44, the Nays

are 1, 4 voting Present. The Senate does adopt the second Conference Committee on House Bill 993 and the bill having received the required constitutional majority is declared passed. Resolutions.

SECRETARY:

Senate Resolution No. 6 offered by Senator Zito and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito, do you wish to proceed with your congratulatory resolution? All right. Senator Zito moves for the...suspension of the rules and immediate consideration of Senate Resolution No. 6. Those in...any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Zito now moves the adoption of Senate Resolution No. 6. All in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution 6 is adopted. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate, a purpose of an announcement. As you know, the Governor traditionally has had a party after the Session and, of course, the Session, hopefully, is now concluded and he wishes to invite you all over to the Mansion for a few toddies and some hors d'oeuvres. And, Senator Rock, job well done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The adjournment resolution, Mr. Secretary.

SECRETARY:

Senate Joint Resolution No. 2 offered by Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SECRETARY:

(Secretary reads SJR No. 2)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President. Senate Joint Resolution No. 2 in the First Special Session says that we have concluded our business responsibly and stand adjourned sine die. I would move to suspend the rules and move its immediate consideration and adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Rock has moved for the immediate suspension of the rules and...and adoption of Senate Joint Resolution No. 2. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves the adoption of Senate Joint Resolution No. 2. Those...any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. All right. Senator Rock now moves to adjourn sine die. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate is adjourned.