

84TH GENERAL ASSEMBLY

REGULAR SESSION

November 14, 1985

PRESIDENT:

The Senate will please come to order. Members be at their desks and will our guests in the gallery please rise. Prayer this morning by the Reverend W. P. Witkop, Faith Lutheran Church, Springfield. Reverend.

REVEREND WITKOP:

(Prayer given by Reverend Witkop)

PRESIDENT:

Thank you, Reverend. Reading of the Journal. Senator Hall.

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Thursday, November the 7th; Friday, November the 8th; Tuesday, November the 12th and Wednesday, November the 13th, in the year 1985, be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Hall. Is there any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries and it is so ordered. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 597 offered by Senator Lenke, it's congratulatory.

PRESIDENT:

Consent Calendar. (Machine cutoff)...Schaffer, for what purpose do you arise, sir?

SENATOR SCHAFFER:

Mr. President, I rise to call a Republican Caucus immediately in Senator Philip's Office. There are a couple of members perhaps that are in their offices still and within the range of my voice, and if you would get to Senator Philip's Office, we may be able to expedite the process today.

PRESIDENT:

That request is in order, and I might alert the membership, our intent is to conclude our business today. Republican Caucus immediately in Senator Philip's Office. The Senate will stand in Recess until twelve-thirty.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will please come to order. 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 adopt the first Conference Committee report on Senate Bill 537...excuse me...and request a second Committee of Conference to consider the differences between the two Houses in regard to Amendment No. 1, and the Speaker has appointed the members on the part of the House.

PRESIDENT:

All right. Senator Demuzio moves that the Senate accede to the request of the House and the Secretary shall so inform 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 in the passage of the following bills together with House amendments:

Senate Bill 625 with House Amendments 5, 6 and 8.

Senate Bill 1449 with House Amendment No. 1.

Senate Bill 1463 with House Amendment No. 1.

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

Mr. President - I'm directed to inform the Senate the House of Representatives has passed a bill with the following title, in the passage of which I am asked the concurrence of the Senate, to-wit:

House Bill 1954.

PRESIDENT:

Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 598 offered by Senators Topinka and Hudson, it's congratulatory.

Senate Resolution 599 offered by Senator Berman, and it's a death resolution.

PRESIDENT:

Consent Calendar. (Machine cutoff)...Dudycz, for what purpose do you arise, sir?

SENATOR DUDYCH:

Mr. President, I ask leave of the Body to be added as a cosponsor to Senate Bill 525 with the permission of the lead sponsors.

PRESIDENT:

All right. Without objection, leave is granted. (Machine cutoff)...Demuzio, for what purpose do you arise, sir?

SENATOR DEMUZIO:

Yeah,...yes, Mr. President, I'd like the record to reflect that Senator Holmberg is absent today because she is attending a legislative leaders conference at...Rutgers University.

PRESIDENT:

Record will so reflect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. With leave of the Body, we'll go to the Order of Resolutions. Leave granted? Leave is

*SB 525
concurrency*

granted...resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 600 offered by Senators Jeremiah Joyce, Degan, Poshard, Demuzio, Welch, Collins, Berman and Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Executive. All right. With leave of the Body, we will begin on the...the...the...this morning's Calendar, page 2, Secretary's Desk Concurrence, Senate Bill 525. All right. Can we have some order, please. The regular Calendar, page 2, Secretary's Desk Concurrence is Senate Bill 525. Mr. Secretary.

SECRETARY:

Senate Bill 525 with House Amendments 9, 62, 102, 104 and 105.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In an attempt to get the Session rolling so that we may conclude at a reasonable hour this afternoon, the House is in the process of sending over to us about eleven items. So, in total, we have probably twelve things to consider and then our business will be concluded. One of the things, obviously, is the question of regional reciprocal banking. The House has sent back Senate Bill 525 with five amendments, and I am moving to concur with House Amendments 9, 62, 102, 104 and 105. House Amendments 9 and 62 have effectively become moot because they were incorporated in part in 102. 102 struck literally everything after the enacting clause and rewrote the bill to incorporate what we in this Senate passed in terms of regional reciprocal banking under the jurisdiction of the Commissioner of Banks of Illinois and added about a half a dozen so-called consumer protection features which met then with majority approval by the House. That's Amend-

ment 102. Amendment 104 raised the capital to a seven percent figure and 105 took the credit unions out of the ambit or the purview of this bill. I think this subject has been discussed at great length. I think if we are to recognize that Illinois and in particular the City of Chicago will be, hopefully, one of the major financial centers of the world, we have to afford the financial institutions the opportunity to provide at lower costs, better services to their customers and provide to the people of Illinois more competition. I, frankly, think that Senate Bill 525 as amended by the House does that. I would be delighted to answer any questions and I will be happy to yield to my cosponsor, Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. Very briefly, we all know what the bill is, it's an excellent piece of legislation. The House added several amendments. I know some of my Republican brethren get a little nervous about some of these consumer amendments, but if you read them over, they are not unreasonable. They do make the bill more workable and as we have over the years tried to bring the Illinois banking system into a more competitive atmosphere for the benefit of the consumer. I think this is another step in making us a more competitive banking atmosphere and I think we, as a...a Legislature, should be commended for the fact that we have been willing to work with this environment and deal with the fact that the availability of capital is one of the single, most important parts of economic development. I would ask for your support as Senator Rock had done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

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

I'm one who likes the concept of this legislation; however, if you want to do something for the State of Illinois, you should open a proposal up to all the big banks, particularly those in New York and California and not only...and not to the small banks bordering...bordering our State which would be taking money out of Illinois rather than pumping money into Illinois. That would help the economy. That would help making loans and that would help the investments for big construction, for projects in...and many other enterprises. I really believe we ought to open the door for the entire...entire United States rather than just the small banks. We're going to take money out of our State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Carroll.

SENATOR CARROLL:

Question of the sponsor, if he'll yield.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield.

SENATOR CARROLL:

Mr. President, I just wondered what took it so long? It seemed to have passed the House quite sometime ago. Did they get lost walking it over here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yeah, thank you, Mr. President. Question of the chair.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your question.

SENATOR DeANGELIS:

Since this concurrence would be final passage, how many votes are required...

PRESIDING OFFICER: (SENATOR DEMUZIO)

On the...

SENATOR DeANGELIS:

...to put...put this into law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

It is my understanding that the bill has an effective date of July 1st of...'86. Therefore, on final passage on this concurrence, it would take an affirmative vote of thirty members which is a constitutional majority to...to pass. Senator DeAngelis. All right. Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I, too, share Senator Carroll's concern about what happened to the bill. It's my understanding that it was accidentally deposited in...Speaker Madigan's checking account and has just now found its way clear. I would say that this whole debate over the banking issue has been one that has pitted people...some of us who feel as though national interstate banking is, in fact, the wave of the future and others, of course, who feel that no change should take place. What I see, and I agree with Senator Vadalabene, what we have here is compromise. We have a system that provides for regional interstate banking for now, but I think anybody who looks at the banking world today recognizes that sometime on down the road we will have to...to a full system of competition in the banking industry of national interstate banking. In the meantime, I strongly support this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Channel 20 has requested permission to videotape. Is leave granted? Leave is granted. Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have a possible conflict in that I do own a very small amount of bank stock in the Zion State Bank, but I never asked their opinion on this bill. I went to the other banks in my dis-

strict and they all want it because they feel that it will expand the capital and it will give it...them a chance to...to really do a better job. I, frankly, do not want to see it expanded past the six states at this time because I just don't trust the New York bankers. So I'd like to...I am rising to speak in favor of this bill. I think we need it and I hope that we all support it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. First, I have to state a conflict. I have a small piece of two banks and the interesting thing to me is that, one, they're on each side of the issue and the one that is supportive of 525 has not been paying dividends. But to address some of the concerns of the prior speaker, the Amendment 102 contains among other things the concept of net new funds or net new benefits. And, that is, if you want to come into this State, you have to bring something and put it on the table, something significant on behalf of the communities of the banks in which they serve. The other parts with the Donnewald amendments, the consumer protection amendments that Treasurer Donnewald has supported, make this bill a little more palatable and I see no reason why...as usual, I think we're making public policy that is probably maybe twenty-seven months out-of-date. I think we're going to have to come back and readdress the question and set the ground rules again for banks to buy each other out, but I think the...with the consumer amendments and with the policy of this State saying, if you want to come into our State and bank, you have to put something on the table. I think this should be palatable to everyone in this Chamber. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. My question is to the Secretary of the Senate and I was...I was hoping he...could inform this membership of the Senate when the Clerk of the House found this bill?

SECRETARY:

Mr. Secretary, would you attempt to respond?

SECRETARY:

I never was delivered the bill, Senator Lechowicz.

SENATOR LECHOWICZ:

Well, because we've been awaiting this bill now for about a week and a half, and I heard it was lost, and I was wondering...

SECRETARY:

It...it...it landed on my...

SENATOR LECHOWICZ:

...you don't know how it got in your possession?

SECRETARY:

...it landed on my Podium and I read it in.

SENATOR LECHOWICZ:

Did it arrive last night or this morning or...last night. Maybe that's why we were able to rectify some of these other situations. Well, very briefly, I don't have a...unfortunately, I don't have a conflict of interest. I don't own any bank stock. I said unfortunately, but...from a business standpoint, I believe this bill is long overdue. It, unfortunately, only limits it to seven states initially, but in order for Illinois to compete on the national level, we're going to have to expand the scope of this type of legislation. And I'm sure that after you see how well it works as far as an...intermediate step, that the General Assembly and the Senate in its wisdom, hopefully within a year or two,...will expand this scope and have 525 on a national basis. That's the only way you'll be able to

compete in the financial markets, not only nationally but internationally, and I concur with the adoption of...of this bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This may come as a surprise to many, I do not have a conflict but I do belong to one of the Christmas Clubs and...and as an advisory to...on the bank board, I...I just want to state my conflict but I will be supporting this bill.

PRESIDING OFFICER: (SENATOR DENUZIO)

All right. Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I haven't heard...it did come in a little late here, I apologize for that. I haven't heard too much on the other side of this issue. It is probably one that's going to go ahead, but I have failed to see where this means, really, an expansion of capital, and maybe undoubtedly things about it that I don't understand. But it seems to me that if we want to talk about in terms of a shift of capital in this country from smaller and independent banks to larger banks, then we can talk about a shift in capital, but I don't...I don't know about the expansion of capital. And far from increasing competition, I think that we may have to consider that we are doing exactly the opposite. As we move this capital into the more powerful, larger banks, we are perhaps increasing competition among them, but it seems to me that we are placing some of our smaller...our independent banks who have been traditionally those who have loaned money to local farmers, and if we're interested in the farmers plight in this county, I fail to see where this is a step in the direction that's going to help our...our hard pressed farmers. So just a few

points that we might...we might think about when we're considering this temporarily regional approach with the idea that eventually we're going to go national, concentrate our...capital in the hands of these big banks so that they can in turn, I suppose, make for...more foreign loans to third world nations and so forth and so on and eventually find ourselves in...a peril because of their inability to pay. These are just a few thoughts, and with those thoughts in mind, I will be voting No on this motion to concur.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I...I was one of those downstaters who supported the multibank holding company legislation, and I...and I still support that in the...the regional concept of five regions that we have. But I remember the arguments from the...the community banks and the smaller banks that were concerned about destroying of local control, and I'm going to have to tell you that...and, of course, I...and mention here that I have conflict of interest and I was involved in a bank in...my local community in which that particular bank supported...they're supporting this issue and another bank that I'm involved with is supporting this issue also. But, anyway, we sold. We sold to a gentleman from St. Louis who...who currently now owns about thirteen banks in...in Region Five in Southern Illinois, and it did...and it has destroyed the local control of...of our particular bank. So...some of the...the alarmists that people thought would come about because of the multibank holding concept, and now we're going to expand it further, I think they had a legitimate concern when this was brought forth, because now we're seeing the...the capital out of the...the bank in which I was associated with in Greenville is being drained simply to go into this gentleman's coffer so

he can go out and buy more banks. And I...it's not really benefiting the people in my community, and I can tell you that even the bank officers...yes, your...your district, Mr. President,...the bank officers feel the same way. They...they see that control slipping away and the fact that the decision make...making process now is going to be made in St. Louis and not necessarily in...in Bond County and in Greenville. So some of the concerns that were brought forth before are legitimate, and the bank that I'm currently associated with is also in favor of this. So I'm...even with the pressures that I may have from the people that...business associates of mine, I think this is a bad idea, and I think the community banks have got a legitimate concern, and...and I concur with the fact that in...I'm living proof that the local control of the bank is vitally important to a community and we're going to see it slip away with this type of legislation. So I urge a No vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Obviously, a significant policy change such as this will engender some strong support and, obviously, some strong opposition. Let me just say that we have attempted by virtue of the amendments that have been offered and adopted to assuage some of that opposition; for instance, you will recall, that here in the Senate, to answer for instance the objection that...raised by Senators Watson and Vadalabene, we have a provision giving Illinois banks the opportunity to opt out. They don't have to be involved. Their board can meet and opt out of the provisions of this bill if they feel in any way threatened. The fact of the matter is, we here in Illinois have the opportunity to be the premiere financial center of the midwest, and I agree, that at some point full

blown interstate will be with us and I hope it comes. But when it comes, I suggest to you that we had better be ready, and the way to get ready is to afford the opportunity for regional reciprocal interstate. It's a question of the availability of capital, Senator Hudson, and if indeed the smaller banks don't have the capital, they can't lend to the farmers or anybody else. We are trying to accumulate capital and at the same time we have said...or the House has said, there ought to be some additional things for the consumers, for those banks who want to participate. And so by virtue of House amendments, they have added free checking for senior citizens. They have added a truth in savings where there's full disclosure. They've added availability for speeded funds, they've added community reinvestment, just outlined it. The fact of the matter is, this legislation is admittedly a compromise but one that is vitally, vitally necessary to the economic growth of the State of Illinois and particularly the northern part of Illinois. Ladies and gentlemen, this is an opportunity that we ought not miss. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The question is, shall the Senate concur in House Amendments 9, 62, 102, 104 and 105 to Senate Bill 525. 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 35, the Nays are 20, none voting Present. The Senate does concur in House Amendments 9, 62, 102, 104, 105 to Senate Bill 525 and the bill having received the required constitutional majority is declared passed. Supplemental Calendar No. 1...Supplemental Calendar No. 1, Senate Bill 1449, Senator Welch. Mr. Secretary, 1449. Supplemental Calendar No. 1, concurrence.

JB134
and C.C.R.

SECRETARY:

Senate Bill 1449 with House Amendment No. 1.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill passed the Senate 59 to nothing, I believe, on the Consent Calendar. The amendment added by the House provides an immediate effective date. What it...the bill does is increases the amount recoverable through a civil action brought under the particular Act from twenty dollars to a hundred dollars for ticket scalping at sporting events.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Welch has moved to concur with House Amendment 1 to Senate Bill 1449. Is there any discussion? If not, the...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, the Nays are none, none voting Present. The Senate does concur with House Amendment 1 to Senate Bill 1449 and the bill having received the required constitutional majority is...is declared passed. Senate Bill 1468, Senator Maitland. All right. Supplemental Calendar No. 1, Conference Committee reports, Senate Bill 134. Senator Carroll. (Machine cutoff)...Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This is the supplemental appropriation Conference Committee report. It is Conference Committee Report No. 2. Basically, we had discussed this two days ago as to the majority of the items that are in the Conference Committee report. We have, in fact, provided for those emergencies of State Government, the life safety codes, the Federal funds and those items that are new law related. There were some

add-ons to that which we had discussed before that...and no deletions from what we had discussed before. Most of you have received the packet of what's included in here; in addition to...for example, BES has moved to the Sears Building. We have the 6.4 million for fifty-two percent of need. The marina is up to fourteen million. There is the purchase of DuQuoin, there is both version fundings of the farm bill. The General Assembly has put two packages on the Governor's Desk. It was a decision to send...since their funding mechanisms are different, it was the decision to send both to his desk, whichever one he signs will then be the operative one he can veto out both the other substantive and appropriation items. I would be willing to answer any questions and would ask for adoption of Conference Committee Report No. 2...other than the double appropriation, it is about a hundred million of general revenue funds as opposed to the two hundred million that the Governor had requested.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? If not, the question is, shall the Senate adopt the second Conference Committee report on Senate Bill...I'm sorry, Senator Kustra, your light was...Senator Kustra.

SENATOR KUSTRA:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Gentlemen and ladies, turn your lights on and...there wasn't any lights on when we called for the question. Senator Kustra.

SENATOR KUSTRA:

Thank you. I would just like to speak on...on this bill. I think my voting record shows that I've supported many, many appropriation's bills that have come through the appropriation's process. This is a particularly large amount of dollars, a hundred and twenty-six million dollars. I sup-

pose it's one of the largest supplementals we'll ever consider, and I just want to insert into the record my concern and the concern of at least a few people on this side of the aisle that what we're doing here is shifting the appropriation's process which normally takes place in the Spring into the Fall Session and into a time of...a time...a time period when, as we know, we've been under great strain to strike deals and get out of here. Unfortunately, we're shifting the appropriation's process minus Appropriation Committee meetings and minus the larger fiscal prospective, which we usually have in the Spring when we have to pass the budget. It is true that some of these provisions in this supplemental have already been heard in committee; in some cases, they've been killed. They're just back again and now they're about to be approved because of the fact that we are trading off one issue against the other. I believe, sincerely, that the issues in this supplemental ought to be separated. On the one hand, I want to see Mitsubishi move into central Illinois and bring jobs into the State of Illinois. On the other hand, I can give you a whole host of projects in this bill which are absolutely nonessential and which run up the supplemental to a hundred and twenty-six million dollars. That's too many dollars to be spending in this particular fashion. We should slow down, we should separate these. We should have hearings on some of these matters, and until those things happen, I'm going to have to vote No and just hope...just hope that when the Governor goes through this things...this...this...this particular bill, he'll see the pork I've seen and use that line item veto to pare this down to what will be a fiscally responsible bill. It sure ain't now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator O'Daniel. The lineup is O'Daniel, Keats, Darrow, Netsch. Senator O'Daniel.

SENATOR O'DANIEL:

Mr. President, I want it to be made of record that Section 93 of Senate Bill 134 appropriates two million dollars to the Illinois Development Finance Authority for loans pursuant to the provisions of the Employee Ownership Assistance Acts. These funds are for the employee buy-out of the general radiator plant at Mt. Vernon. This was my legislation and I want no misunderstanding as to the intent of...of this Section 93.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. The record will so indicate. Further discussion? Senator Keats.

SENATOR KEATS:

This is not meant as...as a derogatory comment about our...our leaders on appropriations who have labored numerous long hours under intense pressure, sometimes from us, sometimes from other groups; but when did we as the Legislature abdicate our responsibilities of looking at the budget? Senator Kustra raised the point of not only this being done in the Fall but when you look at the kind of supplementals that are coming in and when you talk about real emergency need, you have a hard time arguing almost any of them. There are a couple of legitimate need items and that's about it, but let me just give you one comparison for those who are thinking of whether or not you want to vote for the cigarette tax. Anyone who votes for this bill has got to vote for the cigarette tax. There's no way in the world you can vote against it if you vote in favor of this bill. Just as an example, there's the agreement to give 23.7 million for Hispanic schools in Chicago. I'm not arguing against it but that was not originally in the budget. Somewhere between thirty and whatever million on farm aid, a couple of million more here and there, and all of a sudden, the...the roughly seventy million that comes in on the cigarette tax went out

and we haven't even voted on the cigarette tax yet. When did we, as members, abdicate the responsibility to make reasoned judgments? This is...as I say, this is not a slap at the appropriation's people. God knows they have labored in a difficult position and many of us are to blame for the pressures that are upon them. But you really have to ask yourself if this is the kind of budgeting you want to stand for as a member of the General Assembly.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DARROW:

Is there any reason why Prescott Bloom didn't sign this? Was he unable to be located or what was the reason?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I believe...I cannot speak for any particular member, I think Senator Bloom may try and speak for himself. There were some House members also who didn't sign it. It's...it's my understanding that they may have had problems with some of the items in there such as the fifty-two percent of need, at least on the House side. I think Senator Bloom is capable of speaking for himself, and let me just identify that the vast majority of these were requests from the Governor in his supplemental budget. I agree that we should be doing the budget once a year, not four times as we were asked to do last year, but that...this will probably be the first of several budgets we're going to be asked to deal with, so that when the Governor goes to press with his budget book, it's lower than it really ought to be. That's why he's been play-

ing the supplemental game so that the numbers don't add up to as high as the real budget is. We pared out of this one hundred million of those type of requests and required them to put it in the regular budget. We pared out one hundred million that the Governor asked us to spend in general revenue dollars so that maybe a cigarette tax or other taxes are not necessary but are, in fact, in the bank.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

What was the amount of general revenue funds that the Governor requested in his supplemental?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

A hundred and ninety-six million seven hundred thirty-four thousand two hundred dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

And you brought that down to about ninety-six million?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Yes, plus that double appropriation of farm aid, but...actual ninety-seven million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

And that's the total amount of general revenue funds included in Senate Bill 134?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Plus the double appropriation of farm aid, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow.

SENATOR DARROW:

Well, of the ninety-six million, how much of a reduction is that from what...if...if the Governor requested a hundred and ninety-six million, how much are we giving him of...for his programs of the ninety-six million?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

I would guess to say...the General Assembly added from his request about twenty-five and a half million that was not initially requested from the Governor; however, within that, six and a half million were to fund laws passed and signed by the Governor after July 1. Those requests did not officially come in on that hundred and ninety-six, but they are to implement laws that he signed and, therefore, would have, in my opinion, been on his list, plus two and a half million that was for the Court of Claims for its normal awards that he had also not asked for. So, truly, about 16.7 million of general...of...of General Assembly initiated spending requests of general revenue, and of that 16.7, 6.4 million is for the fifty-two percent of need issue. So other than taking care of the starving, we've added about ten million of general revenue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I think some of the points that I was going to make perhaps have been made in the exchange between Senator Carroll and Senator Darrow. But I would like to underscore something and I guess I direct this in part to you, Senator Kustra, and particularly to you.

The...since the political season seems to be on, I think we ought to identify exactly what is going on here and, that is, we may be abdicating a little bit of our responsibility at the legislative level, but the real shift in the budget process is taking place at the executive level and that is taking place both on the appropriation side and on the revenue side. I think the figures have now been brought out. It was the Governor who requested in this Fall Session supplementals of over three hundred and eleven million dollars. Some of it perhaps could not have been anticipated during the regular Session, but that is not true of a very substantial amount of it. That is the rewriting of the appropriation and budgetary process, and I think one other part of it ought to be added in and that is the revenue side, and I refer specifically to the cigarette tax. One of the concerns many of us have had about that, and I realize we will be approaching that subject soon also, is not that...it's not great fun to tax cigarettes to death, some of us would love to do that. It is that the...there never, ever was a hearing on the increase in the cigarette tax and, particularly, one that followed the attempt to add eight cents on to the already very substantial Federal, State and local taxes. Now, the...the problem is not a moral one, again, I'm sure all of us would love to tax cigarettes as much as the...as they will bear. The problem is that the revenue estimates may be absolutely askew, because there is bound to be some falloff, some bootlegging and some just going across State lines, so that we are not...we don't even know what kind of a figure we're going to be talking about and, of course, it was all done in the context initially that we would not be adding on but just simply substituting to begin with. That is just another part of the equation and it seems to me that we have a...a right to expect the Chief Executive to give us a reasonably honest budget to begin with. That is not what we're getting and

that's why we're now today appropriating several hundred million dollars of supplemental appropriations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Nedza.

SENATOR NEDZA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Keats made reference to the twenty-three million although it wasn't in the budget. If you...you recall, Senator, that the other day that Senator Carroll in his...speaking about the amendments to the bill that there was originally a hundred million dollars that was to go to the City of Chicago for the construction of schools and there was three hundred million that was to go to downstate Illinois. The City of Chicago could not get their matching funds until they raised the tax for that specific purpose. They have done that and I feel that I have to defend that twenty-three million dollars which we are now expending, that is a long overdue, because the schools that are concerned are...happen to be in my district and I want to defend that one line item if nothing else. Sure, there's a lot of stuff in here that you and I...and I think every member of this...this Body could find some...something to argue about; but overall, it's there, it's the package, that's what we're stuck with and that's what I will vote for.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'll be brief. As it has been said, we labored long and hard over this. I don't think anybody is happy, but this was the best that we could come up with and we're at the eleventh hour now. So you might say I give that speech every year, but as it was so clearly pointed out, that when you came back...and think what a shock it was for us to see that

there was a request for three hundred and eleven million, and...been pared down. I tell you, this is the best that we could do. So I would ask for a favorable vote for this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'm happy...I'm happy. I think we have finally arrived to the point at which we can agree. We're not going to agree with everything that's in here, but the fact is, we don't agree with everything that's in anything. The fact of the matter is, this Bill has just successfully passed the House with eighty-three affirmative votes. If we're to conclude our business today, ladies and gentlemen, I suggest to you very strongly that we adopt the second Conference Committee report on Senate Bill 134.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I also concur with the President of the Senate and the chairman of the Appropriation's Committee and the minority spokesman on the Appropriation's Committee who have worked diligently in trying to resolve a very difficult situation when the Governor requested three hundred eleven million dollars of additional revenue in a Veto Session. Basically,...the basic problem in this area is as far as which level of funding are we passing for farm aid. Is it the Senate version or the...Thompson proposal? And basically, we're...have both items included, the difference is approximately two and a half million dollars and a difference in concept in how the money is to be allocated; but it's both there, and as we all know, after we approve hopefully this Conference Committee report, the Governor still has the

authority and the responsibility to go through the items line by line and veto or...amendatorily veto or approve the respective budget items. Basically, I'm not happy with this, I don't think anyone should be happy with it. We're talking about additional revenue that is needed from the taxpayers of the State of Illinois, but it's...unfortunately, it's needed and it was adjudicated that it was necessary at this time to approve this amount of money. I wasn't too keen about allocating the amount of money that's in here for some other projects, but as a necessity to accommodate and resolve this issue, I'll stand in support of this and say that this is the best we could do at this time, and I would hope that you will concur with the work that has been presented to you and understand...and I'm sure you do, understand the immediate consequences and the future consequences of our action. And all we're saying is, it's the best that we can...can accomplish at this time with the revenue that's at hand, and I would strongly encourage an Aye vote. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I wasn't going to speak on this but...but Senator Lechowicz brought up the...the point about the two farm aid things. I think that it's pretty safe to assume that we'll spend six hundred thousand dollars for farmers who go nuts 'cause we don't do anything here, and we're going to spend seven hundred and fifty thousand dollars for lawyers to help the farmers that go nuts...go bankrupt and that's probably all of the money we're going to spend there. So you can...take about seventy million dollars of that and just forget it, 'cause we're not going to spend that on any farm aid in this State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Carroll may close.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Let me just make a few comments because of the nature of the discussion we've had. When I got down here on October 2nd as we started the "Veto Session," I was pleasantly surprised to see that we had not, I repeat, not had a request from the Governor for any supplemental spending, unlike last year, where over the course of the year he asked for seven hundred million dollars. So I sent him a letter on October 2nd congratulating him for his fiscal responsibility. He responded to that letter on October 10th asking for three hundred and eleven million dollars. I, therefore, told him that, obviously, I was in error when suggesting he was fiscally responsible but that we would deal with it. The point of my letter of October 2 was to suggest that the General Assembly should have the opportunity to have its normal type hearings if the requests were going to be of anything significant. The lateness of the request for spending caused us to not act on it when we came back on the sixteenth, and instead to have a hearing in Chicago in that week between the sixteenth and the twenty-ninth when we came back. And as you'll recall, that hearing generated over a thousand people to come to the State of Illinois Center, which may be why the Governor didn't want us to have a hearing, but who came to the center to observe the proceedings and to testify. The item that generated most of them was my request for the twenty-three million in...in reappropriation for the Common School Fund for Chicago and about three and a half million for downstate. When we found that in his original budget last April to be absent, we didn't understand why, so we put it in. It was merely a reappropriation. He had vetoed it, we had attempted to override it and had been unsuccessful and, therefore, I suggested that that was an appropriate item to call the meeting for and to have his supplemental requests

debated at the same time. And that particular meeting generated over a thousand people for that program of nine necessary schools in Chicago. Senator Rock right thereafter went to the Governor and asked to get a commitment that, in fact, that would be signed and it's my understanding that over three weeks ago the Governor had indicated to him that that would be a successful request and so we moved that legislation along. It has been in all versions. That brought us to today. Again, I suggest to you that this is a hundred million under what the Governor on the 10th of October had asked us to spend in general revenue dollars. I would beg to want that he will be back to again ask for some more money and again we will not do it, in my opinion, absent some good hearings to see what the need is. Overall we believe we have accommodated those true essential requests of government, those that were absolutely necessary as we had said when we were debating the amendment to House 526 which contained most of these items. And with that, I would ask for your favorable support and remind that on...one other item of legislative intent that the monies for Youth in Government are to be used for lodging. With that caveat, I would suggest that we adopt Conference Committee Report No. 2 so that those that are truly required and the ability to capture all Federal funds be done.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the second Conference Committee report on Senate Bill 134. 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 43, the Nays are 12, 1 voting Present. The Senate does adopt the second Conference Committee report on Senate Bill 134 and the bill having received the required constitutional majority is

declared passed. Senate Bill 537, Senator Lemke. Senator Lemke. Senator Lemke.

SENATOR LEMKE:

Senate Bill 537...what this does is...is a Conference Committee report, it's not the original bill. What it does now is...it's...deals with the aggravated arson and...and reporting requirements to the administrative office of the Illinois courts. What it does is redefines the offense of aggravated arson and reduces the reporting of the administrative offices of the Illinois courts regarding circuit court orders. The Illinois Supreme Court in a decent decision found that our aggravated arson portion of the Criminal Code may be applied unconstitutionally against certain individuals and, therefore, declared a Statute to be...invalid. So at the request of the state's attorney, we have put in a provision that in the course of committing arson, what this provision does, it...the offense of aggravated arson will now have the requirement of...and intent, and I think it will be...held constitutional...we'll have an aggravated arson Statute in the State of Illinois. I think it's...this is a good amendment. I think it will help us enforce the law and I ask for its favorable adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Discussion? Senator Bloom.

SENATOR BLOOM:

Yes, I have a question for the sponsor on another part of the amendment on page 2. I wonder if I could have a little attention.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right.

SENATOR BLOOM:

Senator, about lines 29 and 30, language is deleted. Now, that language says and we're...we're now over on the eavesdropping section of this bill, the eavesdropping

section. Under present law, the administrative office of the courts transmits to us, the General Assembly, a summary of the approximate nature and frequency of incriminating conversations overheard and, B, the approximate nature and frequency of other nonincriminating conversations overheard. Now, that requirement is deleted, so if someone wants to find out that information, and I know that there are professional associations that have a great deal of concern with the eavesdropping law in its present form. They have to...they would with this change have to go all around the administrative office as opposed to having a summary of the nature and frequency of the eavesdropping. That concerns me. I wonder if you can state for the record exactly why they did it. Why are they removing this requirement?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Well, my understanding in talking to the courts, it's...it's not...what they're doing is not eliminating that requirement. What they're doing is...is eliminating some of the detailed summary of eavesdropping but there's still the reporting requirement in there to us. In other words, the current report contains the information included the county, the number of types of conversations, the types of crime investigated. What it's doing is...is having the courts not compile a detailed statement which they send to us every year in which we put on the side or dispose of and not reading it, and what they want to do is put a summary together in...in a...in less detailed report. They assured me that this would not in any way jeopardize anybody else in looking for information.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom.

SENATOR BLOOM:

One of the...they're...you know...I have...supported, you know, a broader eavesdropping law but one of the...one of the reasons been able to do that is part of our function as legislative oversight is to make sure that we have available in summary form the language being deleted...and this really concerns me. This isn't a sandbag job. The language being deleted says, "And a summary of the information required by Subsections A and B of this Section," a summary. Now the only thing that...is available is the detailed information that is scattered all over the administrative office of the courts, and I...I submit to you, that makes it harder for us to have the possibility of any kind of oversight over this kind of operation. That's the...that's the problem I have and I'm...I would, on that basis, probably have to speak against the adoption of the Conference Committee report, because I...I really think that it seems like a minor thing to us and...but if you stop and think about it, I don't think that it...we really serve ourselves well in our oversight function. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you,...Mr. President. Senator Bloom, I would direct this particularly to you...and it's not necessarily in defense of what is here, but this was a bill, the exact number of which I've forgotten at the moment, it would have been approximately Senate Bill 343 or 345, which had been requested by the administrative office of the courts and was a bill which I had introduced at their request during the regular Session. It was changed quite a bit as it made its way through both Houses and partly as a result of the committee hearing before Judiciary II in this Chamber. I think the point that they were making is that a very substantial number of man and woman hours went into the compilation of that

material and, as I recall, even the summary was anywhere from a half to an inch thick, and their feeling was that it was just simply never used by the members of the General Assembly in that form. They maintained that they were not trying to..to bury or hide any of the information, but just simply to save money on a bookkeeping matter that they said really did not make a great deal of sense and seemed not to be terribly useful. That was the explanation and, as I recall and Senator Marovitz can comment on this, on that basis, the Judiciary II Committee and then ultimately the Senate did approve it in that form. That bill then got lost over in the House somewhere and I...I believe...I could be wrong about this, I'd lost track of it, I believe this is just a reincarnation of the provision that, in fact, had been approved originally by the Senate. And, again, it was...it was not a matter of trying to keep the information. I'm very strongly opposed to virtually any form of wire tapping and I'm certainly not of a mind to...to bury information that I think is relevant, but their's was really just a bookkeeping request as they put it to us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, just to verify what Senator Netsch said. Senator Bloom, when this bill first came up when...when Senator Netsch first introduced her bill, it was a very substantial eavesdropping bill, and the wisdom of the committee was such that perhaps we needed some more hearings on that legislation...determine the merits of it. Then the...I think the legislation was going to eliminate all the information from dissemination and we wound up with this compromise. The information will still be available so that if any...and if any member of the Legislature wants to go to the courts and get this information, in some reform, they will be able to

get it. I...I...I agree with you, I do think it will be more difficult...I do think it will be more difficult to...to discern the specifics of what we're trying to get at without a compilation of...of material, and I...and I will say that this bill today did not sail through the Illinois House. I think it...I think it was hotly debated and got seventy-two votes. So it...it is not a totally noncontroversial issue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I don't know if I can throw any light on this either, but for Senator Bloom's edification, you know, in that section you're raising, as I read it, you're still going to have to transmit to the General Assembly a report...including the information on the number of applications for orders, authorizing the use, the number of orders and extensions granted during the preceding year and all the convictions that arose, all that we...still has to be made. As I understand it, this summary that we ask for of all of those things under A and B is just a voluminous time consuming bit of work that nobody really pays any attention to. It's these other reports that if anybody is interested looks at it. You know, whether that's good or bad, I don't know. I...but I think the purpose of this is to unload from the administrative courts some of their workload that nobody seems to pay any attention to.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Lemke may close.

SENATOR LEMKE:

I think this is a good piece of legislation. I ask for its adoption. I think it's time we do need an aggravated arson law in the State of Illinois, and as...I have been assured by the...the...the Supreme Court's Administrative Office that this is not going to change anything as far as

their initial report and summary but only is going to eliminate this voluminous information, if you want, you can get statistically. I think it's...I ask for a favorable consideration.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the second Conference Committee report on Senate Bill 537. 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, none voting Present. The Senate does adopt the second Conference Committee report on Senate Bill 537 and the bill having received the required constitutional majority is declared passed. We are waiting for the Second Supplemental Calendar which will be down momentarily. With leave of the Body, we'll continue to take care of the housekeeping chores. With leave of the Body, we'll go to the Order of Resolutions. Is leave granted? Leave is granted. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 601 offered by Senator Jeremiah Joyce, it's commendatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. 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 in the adoption of their amendments to a bill with the following title:

House Bill 568.

I am further directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of the following amendments:

Senate Amendment 4, 5, 14 and 15.

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

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

Senate Bill 1036 together with House Amendments 5 and 14.

A like Message on Senate Bill 1360 with House Amendments 3 and 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Supplemental Calendar No. 2 is being distributed. The Associated Press, the State-Journal Register request leave to take still photos. Is leave granted? Leave is granted. (Machine cutoff)...Chew on the Floor? All right. Supplemental Calendar No. 2, Secretary's Desk Concurrence is Senate Bill 1036. Senator Chew.

SENATOR CHEW:

Okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Senate Bill 1036, I would move that we concur with the amendment of the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew, there are...there are two amendments, 5 and 14. The motion...

SENATOR CHEW:

Did you...did you want them separately or together?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew, it...it's at your discretion.

SENATOR CHEW:

Put them together, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator Chew has moved that the Senate concur

in House Amendments 5 and 14 to Senate Bill 1036. Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendments 5 and 14 to Senate Bill 1036 accomplish two purposes, both of which, in my judgment, have no opposition. One sets up statutorily the priority usage of State airplanes. The Governor has apparently done this by Executive Order. This is...merely incorporates into the Statute what his Executive Order is. The second thing it does is something that this Chamber has already done. It winds up, winds down the World's Fair Authority and says to the authority, it's over, thank you, very much, it's over and give us the money back. So we get three million dollars back. I know of no objection and I urge that we concur with House Amendments 5 and 14 to Senate Bill 1036.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Welch.

SENATOR WELCH:

A question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Welch.

SENATOR WELCH:

Does the money from the world's fair come back to the State General Revenue Fund or does it go to local government?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Back to the State General Revenue Fund.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? If not, Senator Chew moves that the Senate concur in House Amendments 5 and 14 to Senate Bill 1036. 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 56, the Nays are none, none voting Present. The Senate does concur in House Amendments 5 and 14 to Senate Bill 1036 and the bill having received the required constitutional majority is declared passed. WCIA-TV has requested permission to videotape. Is leave granted? Leave is granted. Senator D'Arco on the Floor? (Machine cutoff)...Supplemental Calendar is House...Senate Bill 1360. Senator D'Arco.

END OF REEL

REEL #2

SECRETARY:

Senate Bill 1360 with House Amendments 3 and 6.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill allows an owner or tenant within twelve hundred feet of property to request that the city demolish the property. If no action is taken on request within ninety days, the owner or tenant may institute suit to compel the city to demolish. These are buildings that have been declared by the city to be uninhabitable and are an eyesore in the city, and this is an opportunity for the owner or the tenant within twelve hundred feet of that property to obligate the city to remove the eyesore from the neighborhood. I don't know of any opposition and I would ask that we concur in Senate Bill 1360.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Channel 7...WLS in Chicago has requested permission to videotape. Is leave granted? Leave is granted. Senator D'Arco has moved to...that the Senate concur in House Amendments 3 and 6 to Senate Bill 1360. Discussion? Senator Rock.

SENATOR ROCK:

Thank...thank you, Mr. President and Ladies and Gentlemen of the Senate. House Amendment No. 6 is the substantive change and it applies only to the City of Chicago, and what it does, as Senator D'Arco rightly pointed out, it affords an owner or tenant of a building within twelve hundred feet of any dangerous or unsafe building to, in effect, go into demolition court on their own. As the current law currently

stands, the city does that. The fact of the matter is, there are in...unfortunately, in the City of Chicago some buildings that the city just hasn't yet gotten around to. This will afford another avenue so that the neighbors can go in and say to the court, this thing has to come down. I know of no objection and I urge concurrence in the House amendments to Senate Bill 1360.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. WGN has also requested permission to videotape. Is leave granted? Leave is granted. Further discussion? Senator Keats.

SENATOR KEATS:

...thank you, Mr. President. I'd...I'd like to ask a question. I don't have objection to the bill, but there are two or three technical points that have been raised that I'd like clarified for intent. The first question, someone is suing for demolition, do they have the right to sue for damages? That is not the intent of this bill, is it, they cannot sue for damages of the building not being demolished?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

That is correct, they cannot.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

They can recover court costs and attorneys' fees, but they don't have any right to...for...to acquire any damages as a result...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR D'ARCO:

...only court costs and attorneys' fees, that's it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Okay, you're...you're answering part of my next question...actually, the second and third question I'll...well, let me ask the second question. In terms of costs, will this in any way increase the costs of getting any of these buildings removed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

No, it will not. I mean, if...if they're in demolition court they're...they're to be removed any way, so it's not going to increase the cost to have them removed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

Okay, the third question you've partially answered. If an attorney who wasn't busy on Tuesday wanted to drive up and down a street on the west side of Chicago and recruit two people to let him sue, what kind of legal fees could this lawyer get for driving up and down Kedsey on the west side of Chicago? In about ten minutes he could find four buildings, that's four lawsuits, what kind of...of legal fees could be recovered in this case? You know a smart guy could make big bucks on...on a slow afternoon doing this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

If an....if an attorney is involved in a case, they could only get reasonable attorney's fees and the fees have to be approved by the court. So, you know, no attorney is going to gouge the system by driving up and down the street looking for buildings that need to be demolished.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats.

SENATOR KEATS:

I understand what you're saying, Senator D'Arco, but there...there is a term that...I know is rarely used but it sometimes refers to ambulance chasing attorneys. This is the slowest moving ambulance I've ever seen. There are several thousand buildings in Chicago that fit this description and anyone who says that the Chicago courts will be very careful and...in only a...a...you know, give them a twenty-five dollar legal fee is unaware of what kind of legal fees are often awarded not just in...you know, I mean, but...I'm singling out the Cook County Court 'cause this bill is limited to Chicago. Other courts could do the same thing, but this being limited you don't have that problem, say in a Madison County Court, but I'm saying, this thing could get to be a pretty good deal for a couple of connected lawyers. Somebody points out six buildings in an area, the guy is in there, he gets legal fees of a hundred, two hundred, three hundred, five hundred dollars. Who knows, we perhaps should explicitly state that this one is a real ambulance chaser if I ever saw one. I often wonder, was this drafted by the ambulance chasing subcommittee of the Chicago Bar Association or who?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

My analysis here shows that the amendment to the Municipal Code would apply to any municipality, wouldn't...is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Yeah, it applies to any municipality, right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I speak in favor of this concurrence because there's too many slum landlords that...just leave their buildings to become decrepit, being a nuisance, let them get rat infested which apply...which affect the rest of the neighborhood and no one can do anything...much about it. I think this is a good bill. There are enough...safeguards in it and I certainly speak in favor of it. We're...sick and tired of these people who want to have property and not take care of it and cause...hurt...hurt and damage to others.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Further discussion? Senator Zito.

SENATOR ZITO:

Thank you, Mr. President. Two quick questions, if I may, of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Zito.

SENATOR ZITO:

Senate D'Arco or President Rock, when you refer to buildings in this amendment, does that only mean commercial buildings or residential buildings as well?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

It's all buildings, and let me clarify something. Phil handed me the amendment. It only applies to municipalities with populations of five hundred thousand or more.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Well, is...is the word "building" described? I can't find it in...in my copy of the amendment. Is the word "building" described in...as a...residence or commercial?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

The word building is defined in the Municipal Code and it...it would apply to...residential building...or it could apply to a commercial building as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, WAND-TV has also requested permission to videotape. Is leave granted? Leave is granted. Senator Zito.

SENATOR ZITO:

One other quick question, John. Is there any reason why...this seems like a good idea for the entire State of Illinois. Is there any reason why it was limited just to the City of Chicago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

That's a good question. I don't know why it's just limited to the City of Chicago. It really probably should be Statewide but later on we can do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. This is a good concept and a good idea. I...I know there's a problem in many areas in the City of Chicago where you have an abandoned building and, unfortunately, it takes almost an act of God in order to tear that building down, even with the cooperation of the court

*HB 568
nonconcurrency
amend. H, S, 14, 15*

system. Now, under this provision, a neighbor...an immediate neighbor can go into the court and petition the court and explain the serious consequences of an abandoned building and ask that the court intervene and have this building removed. This will help...many areas in the City of Chicago and probably in suburban areas of Cook should be included and other areas of downstate, but this is a step in the right direction and I would strongly encourage your consideration for this Conference Committee report and the adoption of this Conference Committee. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Well, Mr. President, I...I think the bill has been discussed. Everybody seems to agree it's a good idea, and I would move that we concur with Senate Bill 1360.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, the Senate...the question is, shall the Senate concur in House Amendments 3 and 6 to Senate Bill 1360. 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 50, the Nays are 3, 3 voting Present. The Senate does concur in House Amendments 3 and 6 to Senate Bill 1360 and the bill having received the required constitutional majority is declared passed. All right, Supplemental Calendar No. 3...Supplemental Calendar No. 3 has been distributed. Secretary's Desk nonconcurrency, House Bill 568, Mr. Secretary.

SECRETARY:

House Bill 568 with House...or with Senate Amendments 4, 5, 14 and 15.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock...Senator Philip...Senator Rock.

SENATOR ROCK:

Mr. Secretary, it's 568, if you please. Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 568, I'm sure everyone will recall, is the bill that does a number of things. Specifically it addresses the question of the reforms surrounding the completion of the McCormick Place project, it imposes an eight cent cigarette tax effective December 1st and it incorporates the provisions of Senate Bill 1090, that is, the farm aid program as passed by this Senate. The House has nonconcurrented in four amendments and while I...obviously, each of the sponsors of the amendment will have an opportunity, I hope, to speak. The proper action, in my judgment, is for us at this moment to recede from Senate Amendments 4, 5, 14 and 15 and let me explain why. One of the things that we in this Chamber attempted to do was to provide in the...within the confines of House Bill 568 a financial incentive to the owners of Arlington Park to encourage them to rebuild. When the bill got to the House, the Governor contacted the principals of Arlington Park and they decided...they decided that they wish to withdraw what the Senate had done and were willing, at the Governor's request, to begin early next year to convene a group to see what kind of relief or further incentive could and should be offered by this General Assembly. So, that effectively what we are doing is saying, we tried but the principals have now decided to delay until the first of the year. That's their decision. It was not the decision of this Senate, and what I think our...appropriate action ought to be and it will be final action. Amendment No. 4, you will recall, was the amendment that was offered by myself and Senator Macdonald and Senator Philip to provide a break in the privilege tax and to authorize the local taxing bodies the opportunity to abate local property taxes. I am moving, Mr. President and Ladies and Gentlemen of the Senate, that the Senate recede

from Amendment No. 4 to House Bill 568. This is final action and will require thirty-six affirmative votes and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Discussion? Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'm not standing to either say that we should vote for or against this bill but merely to note an objection that I and many other members have. In the last few years it seems that every time we have a sticky, controversial issue or several issues, we put them together in an omnibus bill. Many of us object to voting on issues that way, and if it comes out that we vote for this bill and pass it, it will come out that the Legislature in the State is for both of these or all of these issues, which we all know is not true. It may be easier to try to get bills passed this way, but believe me, it is not and always in the best interest of the State and it certainly isn't in the best interest of the legislators who have a right to vote on issues one by one.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator...Senator Newhouse...Senator Newhouse on the Floor? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President. I wonder if Senator DeAngelis would yield to a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Newhouse, the maker of the motion is Senator Rock...Senator...I'm sure...with leave of the Body, Senator DeAngelis will be able to respond. Senator Newhouse.

SENATOR NEWHOUSE:

Senator, you and I discussed the affirmative action provision that presently is in this bill. Am I correct in...in...in the...in stating that the affirmative action

provision applies for ten percent of all contracts let, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Newhouse, we are only on the motion to recede from Amendment No. 4. Senator DeAngelis. All right, Senator Newhouse...Senator Newhouse, have you concluded? All right. Further discussion? Senator Rock.

SENATOR ROCK:

Well, if...if it's appropriate, and it may well be appropriate, I would...with leave of the Body, ask that the Senate recede from Senate Amendments 4, 5, 14 and 15 and then we can continue the discussion. The fact of the matter is, three of the four amendments, Amendment No. 4, Amendment No. 5 and Amendment No. 15 which was successfully offered by Senator Macdonald, you'll recall, dealt with the question of...of financial incentives to Arlington Park, and the principals and the Governor have asked us to withdraw that from consideration. We needn't consider it, as much as we would like to and as much as we did. So, I would move, Mr. President, that the Senate recede from Senate Amendments 4, 5, 14 and 15, and the subject of Senator Newhouse's discussion, obviously, is Senate Amendment 14.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, discussion? Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President, Senators. Yesterday, we had a debate on Amendment No. 14 which we sent out of here. That amendment had a requirement of thirty percent on affirmative action provisions. That amendment was taken off in the House for the reason that it did not include females in that bill, that was an inadvertent mistake and certainly one...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Can we have some order, please. Senator Newhouse is entitled to attention. Senator Newhouse.

SENATOR NEWHOUSE:

...and certainly one that could have been corrected; however, that amendment failed in the House and now we have a provision coming back that has a ten percent set-aside for affirmative action. Where that...I yield to Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Senator Newhouse, let me take it point by point. First of all, the question you asked me this morning is, what is the provision under the Minority and Female Business Enterprise Act? That is ten percent. The McCormick Place or the Metropolitan Fair and Exposition Authority has set twenty percent. So, they have doubled what the State amount is. The quarrel with your amendment was that you set aside thirty percent for minorities, and in the Act it clearly separates minorities and females and I know you were doing this inadvertently, but what you were doing is eliminating the females.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Newhouse.

SENATOR NEWHOUSE:

My point, Mr. President and Senators, is now we've gone from thirty percent down to ten percent, which, in fact, may actually work out to be five percent. So, I would not want anyone in this Body to misunderstand what it is...we're about to do. Now, it is my understanding that...that our back-up is...and I got this from the mayor's spokesman who says to me that the mayor wants this provision...this bill just as it is since it gives him a majority on the board and, therefore, that those affirmative action requirements could not only be met but can be exceeded. I would respect that, except that...for two things. One is, do we here in this Body surrender our responsibilities to our constituencies to make

certain that there is equal opportunity or do we...do we abdicate that to another body? The second is that there may...just may at some point be another person sitting in that chair who is...not quite so responsive to the needs of our constituency. Now let me tell you what's involved. What we have is a structure going up in the middle of a community that is ninety-five percent black at the very least and whose work...can I have some...

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Can we have some order, please? Senator Newhouse.

SENATOR NEWHOUSE:

...and whose work force is overwhelmingly...overwhelmingly nonminority. Let me give you some figures. The figures on the work force for the improvements we haven't even been able to unravel yet, but if we take a look at the permanent facility with the permanent jobs, let me tell you this, that of the crafts where the monies are really made in the permanent facilities, there are eighty-nine employees. Of those eighty-nine employees at McCormick Place, there are six...count them, six minorities, no females, none. If we look at the surrounding community with the unemployment rate that it has, of the eighty-six members of that work force, that is the crafts, sixty-three of those come from...not...from not just...from not in the community but from outside the city. This is what we're dealing with. So for us to assume in any fashion that either there has been good faith on the part of this institution in the past or that we can rely upon good faith in the future is simply silly, and what we will have done if we pass this bill out this way is abdicated our responsibility. I don't think there's anyone in this place who...who doesn't understand that the maximum in these cases...or rather the minimum in these cases become the maximum and that often that minimum is

not met. Right now...right now, with the standards that McCormick Place has set, it has not met the minimum under any circumstance. Even the ordinary laborer...force has not come within the purview of what they have set themselves as a minimum. So, I don't think any of us need to kid ourselves about what's going on. The facts of life are that my community is being systematically...programmed out of that work force and there's no provision on the part of this Body to make certain that something happens that is of good...that is good health for the State and for the City of Chicago. It is in...absolutely unconscionable for...in the center of that community there to be the kind of unemployment rate that there is. Now let me tell you what the dynamics are. Within ten blocks of McCormick Place...within ten blocks are two facilities for training of young people that are unparalleled. We have the Dunbar Trade School which has traditionally turned out craftsmen two generations ago but has been programmed out at this stage. There is the Dawson Skill Center within that same geographical area, none of which...none of which can train youngsters to take care of those jobs at McCormick Place. It seems to me we've got a responsibility and part of that responsibility is to build an economy in those economically depressed areas. Another part of our responsibility is to relieve ourselves of the social service burdens that come about as a result of that massive unemployment. We've been reading in the newspapers over the past several weeks about how bad this problem is. Well, I'm going to tell you, we're going...right now, vote to send a fifteen million dollar monthly payroll out of that community. That's what we're doing...that's what we're doing and we're five percent requirement for affirmative action. Seems to me, this is unconscionable. I really don't know what I'm going to do on this bill...

PRESIDING OFFICER: (SENATOR DENUZIO)

All right.

SENATOR NEWHOUSE:

...I certainly cannot in good conscience vote for this, but on the other hand, I do not want to hold up the McCormick Place construction. I want to share with every member in this Body and I want to make certain that we know exactly what we're doing. We're saying here today, in fact, that we're setting a five percent cap, that's what it is, on the numbers that we expect to come about by affirmative action. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Is this to close, Mr. President?

PRESIDING OFFICER: (SENATOR DEMUZIO)

No, it is not. All right, further discussion? Senator...Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Newhouse, you and I've had a pretty good dialogue on this committee and I would hate like heck to have this Body misinterpret the intention of this legislation because you have stated it absolutely incorrectly; in fact, the assistant majority leader, Carol Mosley-Brown, is the one that requested that your amendment be taken off. The fact of the matter is, the five percent number is incorrect. As I stated, the authority has a twenty percent number, but you also can't confuse minority contracts with minority employment. There are minority contracts...contractors that don't employ minorities. Now you and I sat through those hearings and one thing that was blatantly...blatantly violated is the concept of minority enterprise. Time after time, we found out that the two people that were doing real well under minority contracts are blacks who were doing well before the minority contracts and whites who weren't doing too well

before the minority contracts, because they found themselves a nice white partner. I think the whole issue of minority contracts should be reviewed at sometime in the future, but I...for the record, McCormick Place, the Metropolitan Fair and Exposition Authority, has, in fact, doubled what is the State guidelines. They even have debarment...procedure for those who don't follow it and...you know, what we have is a problem in the entire system of public bidding, and the Legislative Audit Commission is addressing that issue right now and for those members who might be interested, we will be having a hearing on the public bidding process for public buildings, but I don't want anybody to walk off this Floor saying that the Metropolitan Fair and Exposition Authority only has to do five percent minority 'cause that is absolutely incorrect.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...well, Senator Newhouse, we have Senator Topinka for a first time. Is this on the same subject matter, Senator Topinka? All right. Well, Senator Newhouse, let's stay consistent.

SENATOR NEWHOUSE:

Thank you, Mr. President. Senator DeAngelis,...you made my point much better than I could have. You're saying to me, in fact, that rather than five percent, by virtue of the fact that many of these contractors do not have the work force, we may be talking about two percent or one percent. Correct? Now if that's the fact and it is, I think you're right and I think that abuse has to be corrected, because what it means is that what we're doing is making a half a dozen millionaires and keeping thousands of young people out of work and that is absolutely wrong. So, I agree with you, you're right that there is that kind of a problem, and I suggest to you and to the Body here that by virtue of kind of problem existing, we're not talking five percent, we're

talking four percent, three percent, two percent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right,...Senator DeAngelis, both you and Senator Newhouse's time has expired. Senator DeAngelis.

SENATOR DeANGELIS:

Well,...as they say in the old neighborhood, I got to get the last lick. Your legislation didn't cure that problem either.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Topinka for a first time. Senator Topinka, the Chair apologizes. I wanted to...

SENATOR TOPINKA:

...not to worry...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Topinka.

SENATOR TOPINKA:

Yeah, if I might ask a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock indicates he will yield.

SENATOR TOPINKA:

Yeah, sometimes things get past me here and I just wanted to clarify, does this bill authorize funding for the expansion and...and making of loans and grants for Cook County Hospital?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

...there is an amendment that the Senate has already adopted. The answer to that question is, yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I am not prepared, frankly, to argue at great length

with Senator Newhouse. The fact of the matter is that when that amendment was debated at some length in the House, I happened to sit and listen to the entire debate, and the amendment simply didn't do what the intent was, obviously. Further than that, let me suggest, that for the first time we have agreed...we have agreed on the governance of McCormick Place and, in fact, it's an agreement that was subscribed to by the Governor and the mayor of Chicago; and if, indeed, we cannot trust the mayor of Chicago with respect to the...not quota, goals, 'cause that's what the amendment said, then I suggest our trust is totally misplaced.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, pardon me, Senator Rock...

SENATOR ROCK:

The fact of the matter is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

I rise on a point of personal privilege. The question of the mayor's intention is not the subject matter at all. The facts of life is that we have a responsibility and the second fact of life is, we may change mayors at sometime. So, we can't rely on that and I think we should not abdicate our responsibility. I simply want to make that correction during the course of this conversation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock, you may continue.

SENATOR ROCK:

Well,...the fact of the matter is, House Bill 569 deals with some very significant issues; farm aid, as passed by this Senate; the earmarking of nine million dollars a month for the Common School Fund for the school kids of this State to live up to our commitment that we, in this Assembly, made last June; and, finally, the McCormick Place reform which

incorporates the agreement on governance that was subscribed to by the mayor and the Governor. The only way to have a final work product at this moment in time is to recede from Senate Amendments 4, 5, 14 and 15, and I urge an Aye vote on the motion to recede.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate recede from Amendments 4, 5, 14 and 15 to House Bill 568. 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 10, 5 voting Present. The Senate does recede from House Amendments 4, 5, 14 and 15 and the bill having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

With leave of the Body, can we go back to Supplemental No. 1 for Senate Bill 625?

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, with leave of the Body, we will return to the Order of Supplemental Calendar No. 1. Is leave granted? Leave is granted. Supplemental Calendar No. 1 to Senate Bill 625, Mr. Secretary.

SECRETARY:

Senate Bill 625 with House Amendments 5, 6 and 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The House added Amendment No. 8 to this bill which repealed all other amendments and the original bill and, in effect, becomes the bill. I would move to concur in...House Bill...House Amendment No. 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Welch, are you moving to concur with only one amendment of the three?

SENATOR WELCH:

Oh, I'm moving...I'm moving to concur with all of them, but what I'm explaining is Amendment No. 8, in effect, repeals the other two amendments on there. So, I'm concurring with all amendments sequentially.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Welch has moved that the Senate concur with House Amendments 5, 6 and 8 to Senate Bill 625. Is there discussion? Senator Welch, do you wish to proceed on the explanation? Discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, could...could I get the sponsor to divide these issues?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Welch.

SENATOR WELCH:

No, I...I don't think the issues...should be divided mainly because the final amendment, House Amendment No. 8, repealed the bill, Amendment No. 5 and Amendment No. 6 and that became the bill itself. So, that division, I think, would be more confusing than just to vote on the...Amendment No. 8 itself.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, then I would ask the sponsor to explain the farm provision of Amendment No. 8.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I'd be glad to. The farm provision in amendment...House Amendment No. 8 is, in effect, the Governor's farm aid pro-

gram. It does two...two or three different things. Number one, it sets up...through the Emergency Farm Credit Allocation Act an extension of a bill we passed earlier this year, and what that bill will do is to allow for...of a...an interest buy-down where the debt to asset ratio is not less than fifty-five percent, extends the same bill we passed to the 1986 planting year, allows for loans for cultivating the soil and planting, raising and harvesting any agricultural or horticultural commodity and that is a...a provision which allows for interest to be repaid to the State. Another provision of the bill concerning the farm aid legislation creates a...a debt restructuring and what that purpose is is to allow the State to guarantee loans up to one hundred million dollars. The State would be liable for eighty...eighty-five percent of those loans. The guarantees can be issued only up to the amount of one hundred million dollars. The third thing that it does in providing for attorneys for farmers is to work with the Illinois State Bar Association and...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...pardon me, Senator...Senator Welch, pardon me. Can we have some order, please? Senator Luft,...please be in your chair. Senator Welch.

SENATOR WELCH:

Thank you. The third part allows for the Illinois Farm Legal Assistance Act which authorizes the Department of Agriculture to make grants to the Illinois Farm Legal Assistance Foundation a not-for-profit corporation created by the Illinois Bar Association. Those grants will be used to provide direct legal counseling and representation for farmers as well as other farm related legal services.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Well, I guess I'd like to ask a few more questions about this, but to...but to save some...some of that, I might explain what this is going to do and who it's going to help and the cost of it. Now, this...this plan of the Governor's and Speaker Madigan's and Senator Welch's will loan up to a hundred and fifty thousand dollars for operating for farmers who are creditworthy, who can get the money at the bank. Now, a hundred and fifty thousand dollars, Mr. President, is enough money to plant fifteen hundred acres of corn. It's enough money to plant two thousand acres of soybeans. The Federal Government in their farm programs base the feed grain programs on a six hundred and forty acre farm. In that six hundred and forty acre farm, there would probably be three hundred and twenty acres of corn. We are going five times higher than the Federal Government in helping farmers in this State. On the debt restructuring, we're taking a three hundred thousand dollar loan to a farmer who can get the money so that the bank will bring it up to date if he...owes a million dollars there, he'd...that all comes to term, that means that farmer is pretty darn creditworthy. That little package will save the farmer ten thousand dollars. The first part, the Emergency Farm Credit Allocation Act, the operating loan will save the farmer nine thousand seven hundred and fifty dollars if he's creditworthy. We're talking about a farmer who is the biggest...probably in the biggest four percent of this...State, the farmers, we're going to give him nineteen thousand seven hundred and fifty dollars an acre. Now, I submit to you that is wrong. The Federal Government doesn't do it; in fact, Jessie Helms in the farm program they're talking about now is talking about...limiting it to...to twenty-five thousand dollars a year. That would be about a two hundred acre corn farmer, but in this bill, we're going to help fifteen hundred acre corn farmers and two thousand acre soybean farmers. This program will cost twenty-three

million eight hundred thousand dollars more money than the program we just passed on that...that we passed over to the...to the House before, twenty-three million dollars more and it's going to help the farmers who are the biggest and the most creditworthy in this State. What we're going to end up doing when we pass this is let the Governor pick this program over the other one, nobody will get any money except maybe the very, very wealthy farmers who will probably contribute to that campaign of the Governor. They certainly won't help anybody on this side of the aisle, and I...I just...I think that there's something morally wrong with us doing something like this. All we're going to do for the twenty-five percent of the farmers in this State who need the money, who need the help, who have paid taxes throughout the years, who have been an asset to this community is we're going to give them enough money...to the lawyers so that they can go bankrupt and then we're going to give enough money to the shrinks so that...they can go nuts after they go bankrupt and that's the only help we're going to give to the twenty-five percent of the farmers in this State that really need help. Now I submit to you that on this proposal there is money for civic centers, and I'm asking you to hold off on those civic centers; we'll fund that, we'll come back here in January and can be funded, but in the meantime, if we give money to the farmers that absolutely don't need it in this State and ignore the twenty-five percent that do, then, I guess, they'll probably get what they expect from us is nothing. We're going to make sure that McCormick Place got funded, we're going to make sure that the lawyers there make the money, the bondsmen make the money, all the rest of the people in the...the pin stripe patronage, we've just taken very good care of them, but the twenty-five percent of the farmers in this State who really need the help are going to get absolutely nothing from us if we pass this legislation.

Now, I know it's asking a lot of some of you to...to try and hold off on that civic center legislation, but I'm going to ask you to do it anyway, because we have in this country always held the Cheap Food Policy Act and that's what we're doing again. You know, it...it just isn't right now, it wasn't just the Carter Administration that had an embargo, President Ford had some, they've all had some. From the time that...that...that people crossed the Alleghenys to land grants, that was made to produce more food for this country to bring a cheaper food policy act into this country, to make food cheaper. Well, we're doing that...sixteen percent of your budget right now goes to food, your family budget, and we're going to lose twenty-five percent of the farmers in this State that we can ill afford to lose, that budget is going to go up because pretty soon the corporations are going to take over. So it may be a tough decision for some of you, but I'd ask you to do it. I'd ask you to try and help the farmers in this State that really need the help. Vote No on this proposal.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I'm on the Agriculture Committee and day after day on that committee I watch Senator Welch and Senator Joyce work and work together, chairman and vice-chairman, their districts are adjacent to one another, Welch goes over and campaigns for Joyce and Joyce campaigns for Welch, and now they've really...have me confused. I'm not a farm boy. I...I look at Senator Joyce and, obviously, to all of us that he's a citizen legislator and a farm boy at heart and has a great deal of knowledge on this, so when there's such a split between two Democrats and marked two Democratic leaders on agriculture, I guess we have to rely on the other citizen legislator, the other farmer in the House, Harlan

Rigney, and I wish the Minority...Speaker, Harlan, would get up and really clarify this for us so we know who the real leader is. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Darrow, I...I...in all fairness, I should point out that Senator Rigney had his light on before you made that impassioned plea for his remarks. Senator Rigney.

SENATOR RIGNEY:

Well, to my friend Senator Darrow and others, I'm going to be voting for this legislation. In spite of some of the things that our agricultural chairman has said about it, I think it is basically a good piece of legislation and...and the one we really should have adopted in the first place. Let me point out to you what I feel are a couple of the major differences between this particular bill and the one that we adopted as a part of that other effort here a few moments ago. Keep in mind we are still talking about people with a debt to asset ratio that exceeds fifty-five percent. We're targeting on the same group. So, unless a farmer is in that kind of position, he is not going to receive any assistance under either one of these programs. The major difference is this, it's for those people that are in the position of being greater than seventy percent on debt to asset ratio. Under the legislation that we just voted on a few moments ago, those people would have received a two thousand dollar grant. The grant is gone out of this. What we're back to, basically, is what Senator Demuzio passed earlier this year, the idea of the interest buy-down but it's in the form of a loan. The loan must be repaid and it'll be repaid over a five-year schedule. I think that's important. I think, certainly, most farmers would have to agree that it's better to be giving a loan rather than to be giving an outright grant. So, I'm hopeful that when this reaches the Governor's Desk that this will be the piece of legislation that he will see

fit to sign, and when it comes to the appropriation for these two bills that he will give his approval to this appropriation and will...and will deny the other one. So I think finally we have some farm aid legislation that we can all be proud of. It will do something for the farmer but we're not going to be giving him an outright grant which I feel the farmers probably didn't want in the first place. So, I would urge my colleagues on both sides of the aisle to get on board in behalf of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just briefly, we heard from our two farm advisors, Senator Joyce and Senator Welch. Then, on the other side of the aisle, we heard from Senator Rigney; and this row, for some unknown reason, seems to want to have everybody have equal time, we're...we're very bipartisan here in this row and I would like for Senator Maitland to give his views.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well,...further discussion? Senator Netsch.

SENATOR NETSCH:

...now, here's the real farm expert standing up. The...excuse me, Deborah. I think, like Senator Darrow, there are many of us who just really aren't quite sure that we have a total grasp of the effect of these various bills and so some of us have really been listening very carefully and, Senator Rigney, I suspect quite unintentionally you said something which I think just told me how I should vote. If I heard you correctly, you said that as this part of the bill, 625, is now before us it is very similar to what Senator Demuzio had requested and passed earlier in the Session and, unfortunately, as I recall, we had set aside about twenty-five some million dollars for that program of which twenty plus million was never used. What that told some of us was

that whatever was wrong in the form of that program, it was wrong and it did not work, and so if you are saying that this is like that, then it seems to me you are sending to some of us a message that this won't work either, and I thank you very much for your clarification. I think I know how to vote now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce for a second time.

SENATOR JEROME JOYCE:

Yes, I would like to comment a little bit on what Senator Rigney said too. He said the grant is gone but the grant is back. In this bill the grant goes to the employee groups considering establishing employee owned enterprise. Now the Farm Development Authority will make grants to that organization, to any...anyone who wants to...to form an employee owned enterprise. So, we can't give grants to the farmers in the bill that's supposed to take care of farmers, but we'll give grants to the employee owned enterprise. Come on, folks, that's the speaker's program.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, further discussion? If not, Senator Welch may close.

SENATOR WELCH:

Well, I would just like to say that in reference to Senator Demuzio's program of which this is...is somewhat of an extension, the Demuzio bill didn't go into effect until April 19th of 1985 which was quite late in the...in the year and it's hoped and it's already had several phone calls from bankers to the IFDA to inquire as to the availability of these loans already. This bill does change the Demuzio program to the extent that it...it changes the positive cash flow requirement to a different requirement and that is a debt to asset ratio of not less than fifty-five percent. That's a substantive change to make more people eligible for

this particular bill. I think that this is a piece of legislation regardless of who tries to take credit for it or who authored it that we should pass, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Okay, the question is, shall the Senate concur with House Amendments 5, 6 and 8 to Senate Bill 625. 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? Senator Sangmeister, would you mark me Present. Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 5, 5 voting Present. The Senate does concur with House Amendments 5,6 and 8 to Senate Bill 625 and the bill having received the required constitutional majority is declared passed. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The House is currently considering the final piece of legislation that we should deal with. There are two bills that will, I hope, come over on the same Message, 334, Senator Bloom is the sponsor. It deals with Mitsubishi initiatives and 1249 which is Senator Philip's bill which has to do with bond authorization. Once those two matters are before us and successfully concluded, we can adjourn until January the 8th. So, if you'll just stand at...stand at ease for a moment until we get the Message.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew, for what purpose do you arise?

SENATOR CHEW:

Would you permit the record to indicate that Senator Collins is absent today because of death in her family.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so indicate. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

While we're standing at ease for a second, I would like to make a motion to Table Senate Resolution No. 589, it was duplicate and be added as a hyphenated chief sponsor of Senate Resolution No. 588. Table Senate Resolution No. 589 and leave of the Body to be added as a chief sponsor of Senate Resolution No. 588.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Zito has moved to Table the resolution that...which currently reposes on the Senate...Resolutions Consent Calendar, to Table Senate Resolution 589. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. Senate Resolution No. 589 is Tabled. Senator Zito asks leave of the Body now to be added as a hyphenated cosponsor of Senate Resolution 588. Is leave granted? Leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, just in a form of announcement, Mr. President and members of the Senate, I know that during the course of the Session we get a lot of rewards from our district and from different associations. I have been honored this morning by Senator Emil Jones to be chairman of the spear carriers for the year of 1995 and '96 and...and I appreciate that honor, Senator Jones, and I'll see that everybody gets a sharp spear.

PRESIDING OFFICER: (SENATOR DEMUZIO)

With leave of the Body, we'll go to the Resolutions Consent Calendar. Is leave granted? Leave is granted. Mr. Secretary, has any member filed any objection to the resolutions on the Resolutions Consent Calendar?

SECRETARY:

Objection was filed with reference to Senate Resolution 589 which was Tabled. That is all, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right. Senator...Senator Vadalabene moves the adoption of the Senate Resolutions Consent Calendar which includes now Senate Resolution 588, 590, 591, 593, 594, 595, 597, 598, 599, 600 and 601...I beg your pardon, strike 600, just 601...599 and 601 and House Joint Resolution 121, and is there leave to add 597, 598 and 599 and 601 to the Resolutions Consent Calendar? Leave is granted. Senator Vadalabene moves the adoption of the Resolutions Consent Calendar. Any discussion? If not, those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Resolutions Consent Calendar is adopted. The Senate will just stand at ease for a moment. Resolutions, Mr. Secretary.

SECRETARY:

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

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

House Joint Resolution 125.

(Secretary reads HJR 125)

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The two bills that I alluded to, one is still in the House and the other, I am advised by the Office of the Governor that it is not immediately necessary. So, I think in everybody's best interest, I will move to suspend the rules for the immediate consideration and adoption of House Joint Resolution 125 which is the adjournment resolution, and it calls for us to leave right now and come back on January the 8th at the hour of noon, next year and I would move to suspend the rules, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator Rock moves to suspend the rules for the immediate consideration and adoption of House Joint Resolution 125. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The rules are suspended. Senator Rock now moves that...the adoption of House Joint Resolution 125. Those in favor indicate by saying Aye. Opposed Nay. The Ayes have it. The Senate...Senator Rock now moves that the Senate stand adjourned until Wednesday, January the 8th, at the hour of noon. Those in favor indicate by saying Aye. Opposed. The Ayes have it. The Senate stands adjourned.