

STATE OF ILLINOIS
86th GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

113th Legislative Day

June 30, 1990

PRESIDING OFFICER: (SENATOR LECHOWICZ)

As you can see, if you look at your watches, it's twelve midnight. We have new legislative day. It's now June the 30th, and with that we will go to Supplemental Calendar No. 7. House Bill 1550. Senator Marovitz. Conference Committee Report on House Bill 1550.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. This is the Second Conference Committee Report on House Bill 1550. This is the condominium legislation which defines "reasonable reserves" and establishes criteria for that. Makes requirements currently applicable to single associations, applicable to master associations. We pretty much discussed most of this before...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Billy, hang on for a second. Let me read in the record.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 1550.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. This is the condominium bill, the Second Conference Committee Report on House Bill 1550. The report is very bulky, but at least -- at least half the report -- repeats two insurance bills, House Bill 3834 and House Bill -- 3740, which passed this Body, but which the Department of Insurance said they needed an immediate effective date on. So we repeated both of those bills in full in this Conference Committee Report and put an immediate effective date on it. The -- the portion of the bill that was most controversial regarding a student loan fund for attorneys has been removed in toto from the bill. There is still, in the bill, a provision which allows a domestic insurance company with a capital

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surplus of five million to reinsure the business of title insurance companies. The purpose of this is to create new business opportunities, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Lake, Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, I rise to solicit the support of the Members, particularly those on my side of the aisle. As Senator Marovitz pointed out this Conference Committee Report is without the objectionable provision that, I think, caused the lack of majority support the last time around, and -- and I therefore urge your support this time.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Whiteside, Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm sorry that I have to do this, but I really think what we're doing here is a terrible thing that we should stop, and that is to have the Department of Insurance come in here at the late date and try to put language in the bill for some specific one or two insurance companies. I'm not sure that the sponsor knows the answers to these questions, but Senator, do you know who wants that provision that would allow domestic insurance companies to go into the reinsurance business for title insurance? Do you know who wants that?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

I'm not really sure, Cal.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

Do you know whether or not there's any emergency about

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granting this power that -- that is not now in the Statutes?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

An honest answer would be I -- I don't know of any emergency.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

I assume there was some discussion between you and the other conferees. Did you indicate to them that there was objection to this in the Senate?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

I -- I -- I explained to the other conferees that -- that you, in particular, were objecting to -- to this particular provision, particularly in fact that it didn't go through committee and that it was coming out on such a late date, and the feeling of the committee was that we would take the most objectionable portion out and leave this in.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, what you took out was the -- the issue regarding the payment of loans for attorneys that were employed by government, but I really object to this method, Ladies and Gentlemen, that -- that each year toward the closing of a Session, the Department will rush in here to get some new issue approved for some particular insurance companies. Now some of you folks make kind of a legislative career out attacking the insurance business and trying to get rate regulation and everything else. Now we got a bill that -- that is -- is obviously very special interest bill,

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and I don't think we ought to be doing this in the closing days of the legislature. Now the Department has other provisions on this bill that they say they want. But it seems strange to me that they would put those provisions in jeopardy by linking them with this one and their position seems to have changed from one, which originally was represented to me as -- as being not in opposition, now to being one that, by gosh we have to have this. And I -- I really think it's a bad procedure, and I'd ask you to support me in rejecting this amendment.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR JONES:

Senator Marovitz, you indicated in two paragraphs -- two Sections of this Conference Committee Report, you made reference to an immediate effective date. Could you cite what Section and what article that you are putting that immediate effective date to?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Well, Senator Jones, the entire bill has an immediate effective date. The two...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones. Senator Marovitz.

SENATOR MAROVITZ:

The two insurance bills that we're referring to, which will now have an immediate effective date, because they're in this legislation are House Bills 3834 and 3740.

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Well, I -- we -- what I'd like to know is that since we do not have that bill before us -- either one of those bills before us in the Conference Committee Report, I -- I -- like to know what chapter and what paragraph are you putting an immediate effective date to. I need to know what chapter and what paragraph of the -- of the Code that you are putting that immediate effective date to.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

If -- if you'll bear with us, we'll find it in there, and we'll give you a specific -- specific answer. But I will tell you this that the entire bill has an immediate effective date, so everything that's in the bill has an immediate effective date.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any other questions, Senator Jones?

SENATOR MAROVITZ:

Chapter 73, paragraph 737.4b.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR MAROVITZ:

...and -- and -- and 73, paragraph 736.10.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Oh, that's the answer I wanted to have. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and Members, let me attempt to answer Senator

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Schuneman's question, saying at that the outset that I don't know the precise answer to who wants the provision with regard to the -- authorizing domestic insurance companies to reinsure title insurance. But the little bit I have been told is that, in the absence of this authorization, is that one title insurance company depends upon another for its reinsurance, which effectively limits the ability to reinsure to the -- the largest title insurance company or companies. My -- my thinking is that -- if you -- if you were therefore authorizing other insurance companies to provide reinsurance, you're making the reinsurance business for title insurance companies more competitive, and that is or ought to be a good thing. So I don't see any strong objection other than the procedural one that we're doing this at the last minute, but if we're gonna -- I guess if we're gonna to object to doing this kind of thing on a conference committee report, we ought to have adjourned as soon as we finished business on House Bills last week.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman, for a second time.

SENATOR SCHUNEMAN:

Well, thank you, Mr. President. I -- Senator, I appreciate your -- your comments, but the fact of the matter is that the Statute did not previously allow domestic insurance companies to enter the -- enter into the reinsurance -- of title insurance. So this is a new authorization in Illinois. And I'd like to know who it's for, and I'd like to know why we're doing it the last hour of the last day. This is a strange procedure, and I don't think we ought to be doing it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz, to close.

SENATOR MAROVITZ:

Well, thank you very much, Mr. President. I mean, basically

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what we're doing is, we're assisting business. We are allowing domestic companies to go into the reinsurance -- title reinsurance business, but all that it is doing is helping our companies and helping create business and new business opportunities. That's what this all about. I will admit it didn't go through committee, and maybe a lot -- a lot of bills that we're considering haven't, but the fact is if we're helping business in the State of Illinois that's what we're here for, and if -- if something comes to our attention at the last minute that can create new business opportunities, what's wrong with that? It'll help the public, and that's what this is all about.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the Second Conference Committee Report on House Bill 1550. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Madam Secretary, please take the record. On this question, there are 32 Ayes, 20 Nays, and 2 recorded as Present. And the Senate does concur with the Second Conference Committee Report on House Bill 1550. Senator Schuneman, -- what purpose you seek recognition?

SENATOR SCHUNEMAN:

I'm sorry, Mr. President, but I'm going to ask for a verification of the roll.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

You're entitled to that. The Membership please be in their seats. A verification has been requested. Madam Secretary, poll the affirmative vote.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Barkhausen...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Excuse me. Is that enough bells for you?

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SECRETARY HAWKER:

...Berman, Brookins, Carroll, Collins, D'Arco, Davidson, del Valle, Thomas Dunn, Geo-Karis, Hall, Hawkinson, Holmberg, Jacobs, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse, O'Daniel, Raica, Rea, Savickas, Severns, Smith, Welch, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any question of the affirmative vote? Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Netsch.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Netsch. The Lady is on the Floor. The Lady is in the Chamber.

SENATOR SCHUNEMAN:

Senator Zito.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Zito. Senator Zito in the Chamber? Remove him off the roll call.

SENATOR SCHUNEMAN:

Senator Barkhausen.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Barkhausen is on the Floor.

SENATOR SCHUNEMAN:

No more questions, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

On this question, there are 31 Ayes, 20 Nays, 2 recorded as Present, and the Senate does adopt the Second Conference Committee Report on House Bill 1550, and is hereby declared passed. House Bill 3-0-2-4. The -- House -- the First Corrected Report on House Bill 3-0-2-4. Senator Savickas. Read the report, Madam Secretary.

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SECRETARY HAWKER:

First Corrected Conference Committee Report on House Bill 3024.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Savickas.

SENATOR SAVICKAS:

Yes. The Conference Committee Report on House Bill 3024 was, as I had explained before when this bill went over as a shell bill - was waiting for the amendment -- well, two amendments. One that would add that any unit of local government of less than twenty-five thousand population experiences a fiscal emergency, or if the unit so requests, a financial planning and supervision commission shall be created to oversee certain fiscal matters relating to the unit. And it defines the powers and duties of the commission. The second item adds language specifically for East St. Louis that holds that appropriations and long-term bonds and other obligations sold by IDFA can be used to refinance a financially distressed city's debt obligations. Bonds sold by IDFA are protected by revenue intercept, which requires the intercepting of Local Government Distributive Fund, local sales tax distribution, and MFT, if the city fails to meet its payment schedule. Bonds sold to assist distressed cities are backed by the moral obligation of the State. First, the financial planning portion of the bill is essentially House Bill 211, which was Senator Newhouse and Representative McNamara, was vetoed in the Eighty-fifth General Assembly and that was prompted by the fiscal emergencies of the Village of Robbins at Ford Heights. Those veto concerns were addressed in -- at this point, all items that the Governor was concerned about have been addressed. The second portion of the Municipal Code and IDFA portions of the bill are the end product of the Governor's Task Force on East St. Louis. The City of East St. Louis' counter proposal; the twenty changes,

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thirteen of which are wholly or partially contained in this report, and there's an appropriation of four million. And emergency funds will be requested. And five hundred thousand for operations and consultants for the second portion. These -- this bill is designed to address those economically distressed cities in our State and bring them back on their feet and be productive cities. And I would support -- ask for your support for these Conference Committee Report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from St. Clair, Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'll be very brief. You've read about this in the papers. I'm happy to have arrived at this time. I want to personally thank everybody on both sides of the aisles - of the hard work and especially the Governor, down on the next floor, and the leaders up here. So I'd ask your most favorable support of this legislation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Savickas, to close.

SENATOR SAVICKAS:

I would appreciate your favorable support of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the First Corrected Report on House Bill 3-0-2-4. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 55 Ayes, no Nays, none recorded as Present, and the Senate does -- does adopt the Conference Committee Report on House Bill 3-0-2-4. This bill, having received the constitutional majority, is hereby declared passed. House Bill

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3-8-4-3. Conference Committee Report -- First Report on House Bill 3-8-4-3. Senator Fawell. Senator Fawell. Read the report.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 3843.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a bill that is -- basically has been very non-controversial. We just had to straighten some technical language out. It requires a fifty-dollar fee for filing a demand for a jury trial in ordinance; authorizes various additional fees for clerks in the circuit court counties over six hundred and fifty thousand in population; authorizes counties to impose a circuit court clerks to -- to collect court document fees for the expenses of a document storage fee system. And this was the technical problem we had. We were allowing clerks to charge three dollars per child support payment. Then we discovered some of them were paying per week, so we changed it to thirty-six dollars a year. This is an agreed bill. I know of no objection to it, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Rock Island, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates she will.

SENATOR JACOBS:

The -- the -- as I read the bill on Page 4, it appears that this bill -- the pay raise is retroactive for the clerks. Could you explain to me why that would be a retroactive provision in

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this bill?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

Yes. I'm sorry, I didn't -- I -- I -- we passed that earlier. That's because they found out that the -- under recent Supreme Court decision that circuit clerks now are no longer under the jurisdiction of the county board. They are under the jurisdiction of the courts and therefore, the pay raise was accelerated by one year, because they don't have to wait until they're re-elected or elected.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jacobs.

SENATOR JACOBS:

If I'm correct, this is paid for through the courts, is it not? And number two, how much is the -- the increase, and what will the clerk be making, and who pays for it?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

It's -- it's paid through the -- through the county board, and it is a three-percent raise. It is a graduated scale depending on how many people you've got in your county. The most any clerk has got at the present time -- makes at the present time is fifty-seven thousand - that's in Cook. It goes down, I think, as I remember, down to about fourteen in some counties.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jacobs.

SENATOR JACOBS:

But this -- is this not a pay raise to all clerks of the circuit courts in -- in counties less than three -- three million, so all counties other than Cook, is that correct?

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Fawell.

SENATOR FAWELL:

Yes, we passed that last year. This is just accelerated by one year, that's all.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Fawell, to close.

SENATOR FAWELL:

I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the Conference Committee Report on House Bill 3843. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 53 Ayes, 3 Nays, none recorded as Present, and the Senate does adopt the Conference Committee Report on House Bill 3843. This bill, having received the constitutional majority, is hereby declared passed. Conference Committee Report on House Bill 3875. Read the Conference Committee Report, please.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 3875.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. House Bill 3875, at one time, had the amendment on and many of you -- have been lobbied about -- between the suppliers and the wholesale liquor dealers, that version lost in the House this evening. We have now returned the bill to its original form. The two provisions in here have both passed out of the Senate unanimously before, and I would ask for your support now.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Any discussion? The question is, shall House -- the Conference Committee Report on House Bill 3875 be adopted. All those in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present, and the Senate does adopt the Conference Committee Report on House Bill 3875. This bill, having received the constitutional majority, is hereby declared passed. Conference Committee Report on House Bill 4124. Senator Marovitz. Read the Conference Committee Report, Madam Secretary.

SECRETARY HAWKER:

Second Conference Committee Report on House Bill 4124.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you very much, Mr. President and Members of the Senate. This is the Drug-Free Schools and Communities Act, which passed here, I think, 55 to nothing, but lost in the House. One of the concerns that was brought up here and was brought up in the House, and I forgot if it was Senator Etheredge or somebody brought this up, why are we taking alcohol out of the bill? And maybe you'll raise your hand over there, but someone said why are we taking alcohol out of the bill, alcohol is a serious problem, and we shouldn't be taking it out of the bill. Well, the House felt the same way, and so alcohol is now in the bill. And so, basically this Drug-Free and Alcohol-Free Schools and Communities Act, and it will hopefully deal to prevent drug abuse and alcohol abuse. There's an income tax checkoff here for treatment, and I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate adopt the Second Conference Committee Report on House Bill 4124. Those in

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favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 57 Ayes, no Nays, none recorded as Present, and the Senate does adopt the Second Conference Committee Report on House Bill 4124. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 2231. Senator Welch. Please read the Conference Committee Report on Senate Bill 2-2-3-1, please.

SECRETARY HAWKER:

First Corrected Conference Committee Report on Senate Bill 2-2-3-1.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from LaSalle, Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. What this Conference Committee does, is keep the original bill that we passed out of here. The original bill was the bill that said that the lawsuits that are brought to enforce actions on the Environmental Protection Act, could allow for third party complaints to bring all individuals into one lawsuit and bring all of them before the court at one time instead of waiting for separate suits to determine liability. An addition was made in conference committee that was agreed to between Environmental Protection Agency and the Home Builder's Association. The Home Builders have agreed to have a fee imposed upon them in exchange for the Environmental Protection Agency to issue sewer construction permits within forty-five days. The fees will begin on January 1st of 1991, for any sewer requiring construction permit, from the applicant of the permit. Fee is to be submitted with an application. The fees range from fifty dollars for a design population of one through twelve hundred dollars for a design population of five hundred or more. If you deposit an Environmental Protection Permit Inspection Fund to

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administer the Program. As I said, this was an agreed proposal. I know of no opposition to either portions of this bill. I'd be glad to answer any question.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The question is, shall the Senate adopt the First Corrected Report on Conference Committee -- on House Bill -- on Senate Bill 2231. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, 1 recorded as Present, and the Senate does adopt the First Corrected Conference Report on Senate Bill 2231. This bill, having received the constitutional majority, is hereby declared passed. Is Senator Hall in the Chamber? Senator Hall? With leave of the Body, we'll go the Order of Resolutions. No objections. Read Resolution 211. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

...One -- one moment. What are we reading? Resolution 211.

SECRETARY HAWKER:

Senate Joint Resolution 211 offered by Senators Netsch and President Rock.

(Secretary reads SJR No. 211)

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. First, an inquiry of the Secretary of the Senate. Was this sent to Executive? Do I need to discharge first?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Yes. We do.

SENATOR NETSCH:

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All right. I would then move to discharge the Committee on Executive from further consideration of Senate Joint Resolution 211 with the intent that it be immediately considered.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady moves to discharge the Executive Committee from further consideration on Senate <sic> (Joint) Resolution. Are there any objections? Hearing none, the matter is discharged...

SENATOR KARPIEL:

...Wait a minute...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

...Oh, sorry. Senator Karpziel. It was just to discharge the Executive Committee.

SENATOR KARPIEL:

Thank you. I was standing because some of my -- the Members here have been asking me if I know anything about this, and of course, I don't, because she did not talk to me about it. I understand from staff she did talk to them. So, I suppose it's okay.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

This is just to discharge Executive Committee anyway. No objections. The -- Senate <sic> (Joint) Resolution 211 is discharged. Now on the resolution. And the resolution's been read. Senator Netsch.

SENATOR NETSCH:

Senator Karpziel, I apologize for not having had a chance to talk to you. I did talk to Senator Philip to get clearance on proceeding with this. We do not have the argument in opposition to the tax accountability amendment prepared, and so we have to have some contingency for seeing that it is prepared and submitted to the Attorney General. This is the -- that contingency, and we've been working on the resolution up till the last minute. I do apologize for not getting it to you. This would simply allow

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each of the legislative leaders to designate two legislators to continue to work on preparation of the argument in opposition. As I had expressed earlier in the day, the arguments in favor are already prepared by the proponents and submitted to the Attorney General. I would move the adoption of SJR 211 so that we can get it over to the House for action tonight.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Cook, Senator Dudycz.

SENATOR DUDYCZ:

Just one brief question. Senator Netsch, are we required to -- to prepare an argument against the tax accountability amendment?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Netsch.

SENATOR NETSCH:

Yes. The -- the Statute indicates that those who file the petition prepare the argument in favor of the explanation. And the Statute then says, "Where there is an initiative amendment prepared and submitted that the -- " let's see -- "the opponents shall be those Members of the General Assembly opposing such amendment or if there are none, anyone designated by the General Assembly and such opponents shall prepare a brief argument against such amendment."

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, is shall Senate -- Senate Joint Resolution 211 be adopted. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 52 Ayes, 5 Nays, 1 recorded as Present, and the Senate does adopt Senate Resolution 211 -- Senate Joint Resolution 211. The Gentleman from St. -- St. Clair, Senator Hall seeks -- seeks the Body's recognition on Resolution 210. Senator Hall.

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SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I have conferred with both the...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

...One moment. The Gentleman has leave of the Body to...

SENATOR HALL:

...Leave of the Body for immediate consideration and adoption...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

...Immediate consideration of Senate Joint -- on Senate <sic> (Joint) Resolution 210. Read the resolution, Madam Secretary.

SECRETARY HAWKER:

Senate Joint Resolution 210.

(Secretary reads SJR No. 210)

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Is there any objection to discharging the Executive Committee? Hearing none, all in favor, signify by saying Aye. Opposed. The matter is discharged. On Senate Joint Resolution 210, Senator Hall.

SENATOR HALL:

I have spoken to both the Chairman and the Minority Leader on -- on this, and I would ask that this would be most favorably voted on, and I...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, does the Senate adopt Senate Joint Resolution 210. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 56 Ayes, no Nays, none recorded as Present, and the Senate does adopt Senate Joint Resolution 210. It's hereby declared passed. On Calendar Supplemental No. 8 appears -- I'm sorry, what? Oh, we've got to load it into the record. We'll be in Recess for two or three

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minutes. Leave of the Body. Load it in.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR LECHOWICZ)

We have three matters on Supplemental No. 8. Senator Jones. Who's on 1591? Senator Berman and Senator Luft. The Gentleman from Cook. He can't really talk right now, I don't believe. They're loading a program...(machine cutoff)...Okay. We're ready. Let's go. On the Supplemental Calendar No. 8 appears a Conference Committee Report on House Bill 3261. Read the Conference Committee Report, Mr. Secretary.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on House Bill 3261.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Jones.

SENATOR JONES:

Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

One moment please. Thank you. Senator Jones, please.

SENATOR JONES:

Yeah. Thank you, Mr. President and Members of the Senate. First Conference Committee Report on House Bill 3261 allows Fairmount to have a third OTB track. Allows the Aurora, Waukegan and Grayville to receive horse racing tracks allocation funds, and it dispenses breakage fees for various programs. The Rural Diversification Act Revolving Fund will receive five hundred thousand dollars, and the full county funding for county fairs from the Agriculture Premium Fund of seven hundred and fifty

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thousand dollars. Brookfield Zoo, two hundred and fifty thousand dollars, and the State Board of Education, a grant of two hundred and fifty thousand dollars. And other -- other programs to -- to benefit the IHA Association - the Illinois Horsing <sic> Association - and also the HBPA Association for its inter-track wagering, and places the cap of a hundred and twenty-five thousand dollars on their share of those fees, and ask for the adoption of this Conference Committee Report.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Champaign, Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senator Jones, on Page 2 and 3, there is some strange language in there. I just wondered why they're telling the executive director that he may not impose any fines, penalties or mandates of action upon tracks -- race tracks and -- and may not state a position on legislative issues without the express consent of a majority of the appointed board. What's the necessity for that language?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Well, the executive director of the racing board is an employee of that board. And on legislative matters as such, there was believed that the board should have the power and authority to decide what position that the racing board takes, so therefore this is to set for the record what the authority of the board is in carrying out its duties.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver.

SENATOR WEAVER:

Well, is the executive director appointed a member and elected by the board, or is the executive director appointed by the

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Governor, as executive director?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Well, I couldn't answer -- answer you specifically along those lines, but I know the -- the executive director is appointed by the Governor, but it works with the board. And -- and the board is -- is the appointees that we approve here in the Senate to carry out the rules and regs implementing the legislative action, so therefore the board feels that their authority should be there, so that whatever programs are carried out they would fully know what is going on.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Weaver.

SENATOR WEAVER:

Well, it just seems strange to me that we pick out one agency and tell the executive director that they can't communicate with us as Senators or Representatives of the State of Illinois without consulting the entire board and getting permission to make a comment. This -- this is very strange language, and I would have to see it proliferate in any other agency.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Kane, Senator Etheredge.

SENATOR ETHEREDGE:

Thank you very much, Ladies and Gentleman of the Senate. I -- this report, like virtually every other one that is put in front of us, is calculated to make each one of us very happy and very sad at the same time. I'm -- I'm grateful to the conferees because they have recognized a -- a plea that we have been making for some time. This permits a portion of the take at the OTB parlor in North Aurora to go -- go to our local -- local park district. We think that's where that money ought to go. And I am

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very pleased about that, and thank you, Senator Jones. However, another part of this represents an almost a two-million-dollar hit on the General Revenue Fund. And we have been working hard all spring long to protect some of those monies. But you will notice that we are -- that one of the provisions in this Conference Committee Report does distribute one million seven hundred and fifty thousand dollars in the form of various grants for several different purposes. All of that is GRF.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Marovitz.

SENATOR MAROVITZ:

Senator Jones, is there anything in this report that takes money away from the Chicago Museums, in terms of the four-sevenths that they would be getting from certain tracks?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

When we passed the OTB legislation some time ago -- and in that law when the new tracks -- when the new OTB parlors were opened up, they were supposed to receive their pro rata share of the funds. If the Chicago tracks - those tracks that surround the City of Chicago - as they do what they are supposed to do in the tax break that we gave them in that legislation -- if they were to build their OTB parlors, they in turn would receive their pro rata share. This issue came up before, when we -- when we -- when Rockford had the same similar situation, and the funds that Rockford was supposed to receive which came out of the Chicago share. But Chicago was not supposed to receive it all - only difference is that when the other tracks came on board they were supposed to receive likewise, and -- and that is what this does.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Marovitz.

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SENATOR MAROVITZ:

Though, just to be clear -- right now you are taking around three, four hundred thousand dollars from the Chicago museums and giving them to Aurora, Waukegan and Grayville, which would supposedly be replaced when our new OTBs come on line. Why couldn't we allow the Chicago OTBs to come on line, and then give the money to the tracks, instead of taking the money away from the museums now?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

Well, it -- it was incumbent upon those tracks that surround the City of Chicago to -- to build those OTB parlors. Unfortunately, they have not done them as swiftly as some other areas have, but when they do, then the funds will be there. Again, I thought the way you thought a couple of years ago, when we had that similar legislation as relate to Rockford. So we are not taking -- really taking any money from them. These areas are entitled to it under the law that we passed, when we passed the OTB legislation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Further discussion? Senator Brookins.

SENATOR BROOKINS:

Thank you. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR BROOKINS:

Senator Jones, how much is the Du Sable Museum losing under this program, if you know?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

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I don't know what Du Sable Museum is losing. Du Sable would not lose anything that it is entitled to. No -- no museum will lose anything that they are entitled to. What has happened under the previous legislation is that, as the new OTB parlors came on line, they automatically qualified for their share. Unfortunately, they had not been on line, and we did the same thing, I think, last year, and now that these areas have come on line, they are entitled to it. So what was happening is that perhaps Chicago was getting too much, because other people have not done what they were supposed to do.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? Senator Brookins.

SENATOR BROOKINS:

When -- when are the Chicago OTBs scheduled to come on line?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR BROOKINS:

I know there is one coming on line in -- in -- in -- in your area -- in your district. What others are scheduled to come on?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Jones.

SENATOR JONES:

I believe that one and one other, as soon as they are built, then they -- would -- Chicago would, you know, actually receive what it's entitled to. And along those same lines, perhaps I was thinking about adding something else to this bill, and that was a -- a deadline for those tracks to be built, because we did give a lot of tax incentives to the tracks to get these OTB parlors on line, because they were supposed to bring a lot of revenue in, and they have been a little lax in their duties. But as it stands right now, Chicago will be having a couple more very shortly.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

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Any further discussion? Senator Jones, to close.

SENATOR JONES:

Yeah, thank you, Mr. President. All I ask for is a favorable vote on the First Conference Committee Report on 3261.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 3261. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Please take the record. On this question, there are 43 Ayes, 8 Nays, 4 recorded as Present, and the Senate does adopt the Conference Committee Report on House Bill 3261. This bill, having received the constitutional majority, is hereby declared passed. Senate Bill 1591. Senator Berman. Mr. Secretary, read the Conference Committee Report, please.

ACTING SECRETARY: (MR. HARRY)

First Conference Committee Report on Senate Bill 1591.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill deals with several items including teachers' pensions and the ability of the Chicago schools to open in September. First, as to the teachers' pension provisions...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

...Excuse me, Senator. Please continue.

SENATOR BERMAN:

This bill provides for both Chicago and -- downstate teachers that after twenty years of service, at age fifty-five, rather than age sixty, a teacher may retire with full benefits. Number two, it incorporates the Chicago Teachers' Pension Fund under the terms of Senate Bill 95 that we passed last year. It was, I believe,

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everyone's intention that that be included in there. It was not. This bill brings it within the purview of Senate Bill 95, and that is the forty-year commitment for full -- full funding of all of the State -- State Pension Funds. Number three, it allows -- the Chicago Board of Education, which is the only school district in the State that levies a separate property tax levy for additional funding of pensions, namely a six-percent pension levy, to divert that levy from the Pension Fund for a limited period of time to the Education Fund. The limited period of time will be determined by the length of the contract, if one is entered into, for this September 1st. In other words, if the Chicago teachers -- the Chicago Board of Education and the unions enter into a one-year contract, then this diversion of the pension levy in Chicago will be authorized for one year. If it's a two-year contract, it would be two years. If it's a three-year contract, it'd be three years. Number four, there is a differential tax which is levied by the Chicago School Finance Authority and utilized at the present time in the Chicago Board of Education Building Fund. This bill authorizes a transfer of that Fund - that tax - from the Building Fund again to the Education Fund. And fifth, this bill exempts the Superintendent -- the General Superintendent of Chicago public schools from the administrative requirements that had previously been set back in -- I think it was 1985, only for the term of his contract. This will prevent the necessity of Superintendent Kimbrough from going back to school to fulfill the requirements of our existing administrators' requirements. This bill, if passed, will provide sixty-six million dollars of Chicago money to the Chicago Board for use in negotiation of the new teacher contract. I'd be glad to respond to any questions, and I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? Senator Demuzio.

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SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd like to pose a couple of questions to Senator Berman, if I might.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DEMUZIO:

This bill now includes some language which affects the Chicago suburban and the downstate teachers. Does this bill now include also language that provides a retirement for -- retirement option for those suburban and downstate teachers with twenty years experience at age fifty-five?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Is it also true that this bill -- that any increase in the unfunded liability from the Chicago benefit improvement is covered by the Chicago School District?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Yes. The bill specifically provides that if there is a diversion of money, pursuant to this bill, of the pension funding tax, that diversion is absorbed by the Chicago Board of Education. It is not absorbed and would not be required to be absorbed, by the State's obligation.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

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SENATOR DEMUZIO:

Also, it is my understanding that there is a sunset provision in this language. That is would sunset after three years. Is that correct?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

The outside limit is three years. It might even be two or one, depending on the term of the contract.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Demuzio.

SENATOR DEMUZIO:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I -- I rise in support of this bill. You know, last year when we went through this process of attempting to amortize the pension systems of over a forty-seven-year period, one of the pension systems that -- the only pension system that was not included in that particular piece of legislation - that amortization - was the Chicago Pension -- the Chicago Teachers' Pension System. I think now that the language that is incorporated into this bill is one that I think puts all the pension systems in the same posture, and since the sixty-six million, to which Senator Berman has referred, would be the responsibility of the Chicago benefit, which would be covered by the Chicago school system, then I rise in support of -- of this bill and would ask our Members to -- to vote Aye.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Maitland. Maitland, please.

SENATOR MAITLAND:

Thank -- thank you very much, Mr. President, Members of the Senate. I rise with some strong concerns about this Conference Committee Report, and I would, I guess in reverse order, Senator

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Berman, address some of the issues. First of all, with respect to the certification of the new Superintendent, I have met, on a number of occasions, the Superintendent. I think he's doing an outstanding job in the Chicago school district. I am impressed with the things that he's doing. What really troubles me about all of this is you and I went through some very serious deliberations back in '85 with respect to administrators' certification. We felt very strongly about that, and I don't believe forcing the Superintendent to become fully -- fully certified is going to make him any better a superintendent. I agree with the Tribune and the Sun-Times and those who have editorialized in that way, but I really am concerned about the signal we are sending here all across the State with respect to certification. It seems to me as though we are almost making a mockery of administrative certification, and in this State's largest school district to suggest that the Superintendent not be fully certified, I think, really ought to cause all of us some concern. With respect to the funding mechanism - and there will be others who follow me who can speak much more -- much better on the pension system than I can - but I -- I really -- you and I both know this will probably not cover the deficit that the Chicago School Board will face this fall. The figures I'm hearing are closer to a hundred million dollars or thereabouts, and I -- I know there's speculation on that. We don't know for sure, but there is that possibility. So we're already perhaps forty million dollars short, even with this package -- even with this package. This new approach takes on massive new State responsibilities. Responsibilities that we don't now have and can't afford. I really fear -- I really fear that moving in this direction with the massive changes in the pension system is going to create very difficult problems for the Chicago School Board in the future. A one-, a two-, a three-year program, I don't know, but I think once

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you begin manipulating the pension system - and incidentally this doesn't -- there must have been some changes since you and I talked before, because there are some differences here from what we had in discussion earlier this afternoon - but I think this is a dangerous precedent to set, and we ought to find a better way to fund the Chicago school system.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Brookins.

SENATOR BROOKINS:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR BROOKINS:

Senator Berman, in setting up the -- the -- the reform -- the School -- the Chicago School Reform, I don't think it was our intention - or my intention anyway, if your intention - to have an interim school board name a permanent superintendent. Was that our intention at that time, or was that in our mind?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

I'm not sure that I -- that we had any intention regarding that issue. We set out a general plan for the appointment of an interim board. We also provided in there regarding the previous Superintendent. A -- we knew that a national search was being conducted for a new superintendent. So I certainly can't say to you that it was our -- my intention, one way or the other. We wanted the best people possible to run that school system.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Brookins.

SENATOR BROOKINS:

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Thank you, and to the bill: I share Senator Maitland's expression in saying that we should not send this signal that we would have an unqualified school superintendent in the Chicago system - the largest system in the State. It sends a bad signal down through the community, through the educational system, and the educational community, to hire a man - a person - though he may or may not be doing a fine job. But people that he is governing and people who he is -- he is dismissing have greater qualifications and -- and -- and better qualification than he has, who is running the school board. I cannot -- I cannot embrace this report, and I will be voting No against it.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR SCHUNEMAN:

Senator, my principal concern with this bill is not whether or not the Chicago Superintendent is properly certified. My -- my major concern is the extent to which the bill would require the State to pick up a greater and greater percentage of the pension contribution for the City of Chicago. As I read the bill, the City now has a tax authority, which the rest of the school districts in Illinois don't have, in that you levy a special tax to raise the amount of money that is used to help pay the employer contribution. Then the State of Illinois contributes an amount to the City, and in the current appropriation, that amount is some sixty-six million dollars. The balance of about eighty million or so comes out of the City, and -- and their -- and their funds. I think the -- the bill, as I read it, will require, over a period of time, the State to pick up the entire cost of the Chicago

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Pension System - both the employer and employee cost. Now we're not doing that downstate, and I really don't know what the -- what the case might be to do it in Chicago. You know, downstate schools have the same kind of problems that you have in Chicago. While they may not be as big, but they're just as big to us, and so I think the -- the principal objection to this bill is that it does require, over a period of time, the State to pick up the entire pension contribution, at a time when we're not even properly funding those pensions for which we have complete responsibility. So I'm not sure that -- that you can answer those questions or -- or satisfy us on them, but -- but those are my concerns.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

All right. I think that your last -- your last phrase is -- I will try to answer your questions. I'm not sure I will satisfy your questions. Let me address -- let me address your concerns. It is our intent - and I'm stating this for the record - if your question is whether bringing Chicago under Senate Bill 95 is bad policy, that's not -- that's not your question. Am I correct? Okay, fine. I don't want to get in -- I don't want to mix our inquiries. It is our intent - and we believe that we have indicated this on Page 6, lines 15 through 19 - the dollar amount of the diversion of Chicago's Pension Fund Tax is not to be included in the unfunded liability which is the State's obligation. Specifically, let me give you an example. Let us say that the Chicago Board of Education and their unions enter into a one-year contract. I am advised by the members of the Chicago Board of Education that under the terms of this, that diversion of the one-year pension tax amounts to fifty-one million dollars. In the obligation to fully fund actuarially all of the

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pension funds, when we get down to evaluating the needs of Chicago, the last fifty-one million dollars is not the State's obligation. That's what we intend to do by this language.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any further discussion? The Lady from Cook, Senator -- one moment. Senator Schuneman.

SENATOR SCHUNEMAN:

Well, I -- I think our concern, Senator, has to do with -- with whether or not, under the terms of this bill, the State would be assuming the one billion dollars in unfunded liability that now exists in the Chicago Pension System, which is presently an obligation of the City of Chicago.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR SCHUNEMAN:

The -- the -- the Senate Bill 95, although there is discussion that somehow that was intended to apply to the Chicago school system, I think the fact is that -- that what was discussed was the State systems, and the Chicago School Teachers' System has never really been considered a part of the State systems.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

I disagree with you from this point of view. Every year up until last year, the State contributed money to the Downstate Teachers' Pension Fund and to Chicago Teachers' Pension Fund. It was an obligation that we -- we, the State, has recognized and paid for. And it was, I believe, fair to say everyone's intent that that Pension Fund is the same obligation as the other pension funds that we have included in Senate Bill 95, and I defer to others who worked more closely with you on Senate Bill 95 to confirm my statement. It was their intent that the full funding

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over the forty years include the Chicago Teachers' Pension Fund.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. I hate to belabor this issue, however, I, too, with Senator Brookins and those who've spoken, do not and cannot support this bill as its present form, and I would hope that the sponsor of this bill would take out or remove that part relating to the superintendent. We've just come through a very traumatic experience trying to get our school systems in order and informing the parent associations and local whatnot so that the children can learn to be better students and graduate with certificates. And to make this exception for the superintendent of the largest school system in the State is wrong. Not only that, I have learned, I have heard - and I do believe my source - that other support persons to this Superintendent who do not have all of the credentials also will be asked to come to Chicago to serve. This is a bad signal to be sending. I could support the bill in its present form if that portion was deleted.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator del Valle.

SENATOR DEL VALLE:

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

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he'll yield.

SENATOR DEL VALLE:

Senator Berman, how much do we lose in the Building Fund as a result of the tax transfer?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

The diversion represents fifteen million dollars. This has --

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this is being suggested in this bill because of the provision that was passed by the City Council and the Chicago Board of Education, I think it was the year before last, that provided for the new Capital Development Program and the substantial funding of the Building Fund so that that is very adequately now funded, and the funds are much more needed in the Education Fund than in the Building Fund.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator del Valle.

SENATOR DEL VALLE:

Senator -- Senator Berman, I know that the Board is saying that the three-hundred-and-fifty-million Capital Program is in good shape, but let me tell you that there are many, many schools not included in that Program that are in need of repair. There are schools that are severely overcrowded that are not included in that Program, and so I think that any loss of dollars from the Building Fund will not be beneficial to the kids of the City of Chicago in the public school system.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. I rise up in support of Senate Bill -- First Conference Committee Report on Senate Bill 1591. Listening to my colleagues from both sides of the aisle as they address one particular issue in the bill, and that issue relates to the Superintendent. The Superintendent technically does not have what he needs to be -- certain qualifications, even though that same superintendent has qualified and taught the courses that they want him to take, which is sort of ridiculous, but I don't think qualifications on paper sets forth the right criteria for a child's learning. We have -- we have Ph.Ds running all through that central office downtown, and we had a Ph.D.

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superintendent prior to the Superintendent you currently have, and several more before them. But they could not even count correctly and spend the money, Senator Alexander, on the children in your district. Until you got this Superintendent, at least he'd know how to count. He'd know how to put money in the schools where you live. He'd know how to do the job, and he's -- he's qualified, and if -- and if the others prior to him with all those Ph.Ds know so much about education, and fifty percent of our kids not even graduating from high school. So who's kidding who? You talk about the local school councils. Those same persons that you talked about, Senator del Valle, Senator Alexander, in your school councils - they wouldn't even give them the necessary information from central office until you got a superintendent that came in there and cared about the community being involved in the education of their children. I tried for twelve years talking to Ph.Ds about spending more money on poor children, and those dollars came from the State of Illinois, and those same persons with all the technology, and all the education and Ph.Ds could not see in their mind to do the right thing to put the money where it belonged, and that is on the children who generate it and the children who need it. Now you have a superintendent there that wants to do the job, and the first thing he said, "I am committed to the school reform" - in spite of all of those who tried to stop him from doing the job that he was hired to do. So let's not kid ourselves. The educators have been running the system - the Ph.Ds. So you're talking about sending the right signal to the kids? Send the right signal. Support the person that's doing the job that you want them to do, and you should be in support of Senate Bill 1591.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Joyce.

SENATOR J.E. JOYCE:

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Thank you, Mr. President and Members of the Senate. You know, I -- I find it difficult to understand, given the hour, what we are doing. You know, I have stood here for twelve years. I have -- maybe six percent of the students in my district are in the public school system. Most of the kids are in the parochial school system. I have voted for the Public School Program every Session - roll call after roll call. It's not the kids in my district that are being educated in the public school system, and I am here prepared to support this legislation. If the hang-up is because we want to demand or require that a superintendent go through some type of academic drill when he has displayed no need for that, if that's the hang-up, it's crazy. If there is some other problem here, you know, I would suggest that someone make some informal communication while we proceed with this bill, rather than hang ourselves up here. You know, a lot of work has gone into this. This thing started out with a lot of problems. They've worked and worked on this. That everyone seems -- to at least there seems to be a -- a -- a coalition sufficient to deal with this, to put this thing out. I think this is -- this is sheer crazy. Let's find out what we're doing here before we go too far. You know, Senator Brookins, Senator Alexander, you know, talk to somebody before this roll call, and let's resolve this and get this thing on.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Collins.

SENATOR COLLINS:

Yes. Thank you, Mr. President. I rise in support of -- of this bill, not because I don't have some concerns that were probably raised by some of my constituents - not necessarily my constituents, but some of the people in Chicago that I respect. But I have to deal with the concerns of the students, and that's what I'm all about here, is to putting children first. And the

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basic reality is that if we don't receive this fifty-one million dollars generated from this legislation, there's a great possibility that the schools will not open in September, and I'm not willing to wear that jacket. I've been engaged in negotiations here all day intensely, for about three or four days, as a matter of fact, on a similar issue, where someone was willing to allow a whole city to go down because they did not like all of what was in a bill I planned. Well, I'm not willing to do that. And Senator Berman, I -- my signature is on this Conference Committee Report. I would like to know from you, whether or not this requirement would be waived for future employees of the Board of Education.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Senator Collins, let me indicate to you that the initial request from the Chicago Board regarding waiver of the administrative requirements was for a number of persons, in addition to Superintendent Kimbrough. That request was rejected, and that request is not in this bill. I -- I will say to you that I can give you strong arguments, perhaps, but at this point, I and the leadership in this Body, was not willing to open it up more than just to Mr. Kimbrough.

END OF TAPE

TAPE 2

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Collins.

SENATOR COLLINS:

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If that is the intent of this legislation, I would urge all of my colleagues - for God's sake, let's not let this bill pass. Yes, I too believe that we should go on and put forth a permanent school board. And I would hope that the Mayor would see the wisdom of doing that for the good of the children back home. But for God's sakes, don't turn down fifty-one million dollars, because the schools are in trouble. And like Senator Joyce said, those are your kids and my kids in that public school. Our children are being educated. And if you don't care, no one else cares. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. As I listen to the debate about what we need to do to take care of the Chicago schools, I am reminded, before I make my comments about this bill, that we were here last year at this time, whereas, I remember it, we did a few considerable things for Chicago and its schools. The income tax surcharge which was passed at that time was divided equally between city and schools, and Chicago benefited in both ways by the city portion, which helped solve your budget deficit, and of course by the formula which devoted monies also to Chicago schools. To this bill: I'm -- I'm particularly troubled, Senator Berman, because I know that you take great pride, as the Chairman of the Senate Education Committee, in the work that committee does in guiding and directing the education policy of this State. And, yet, here we are, late in the Session - very late in the Session - with a page and a half of an analysis, and a bill that's been dumped on our desk an hour ago or so, with a newspaper article that ran this morning for the first time, telling us about what is one of the most important and dramatic changes in education and pension

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policy in the State of Illinois. We could have done this a month or two ago. We could have had Senate Education hearings on this - committee hearings - but we didn't. And here we are forcing our Members to take the word of this Member or that Member about what actually this particular bill accomplishes or what it doesn't. It isn't fair. It isn't fair to our Members. It isn't fair to the taxpayers of this State that we would attempt a major change in State policy at this very late date. The provision of this analysis in front of me alone that claims that the State really assumes over one billion dollars of unfunded liability, thereby charging the State of Illinois four to seven million dollars annually. Another provision of the analysis which says that according to the Illinois Economic and Fiscal Commission, this Conference Committee Report will cost the State a minimum of eighty million dollars a year to fully fund. These aren't the kinds of decisions you make in the closing minutes of a Legislative Session. And I suggest to you that we should have been about this business a month ago or two months ago when we were holding committee hearings. And we didn't do it that way, I suppose for the obvious reason, because in these last few minutes of a Session it's too easy to shove this stuff through. Well, enough is enough. The hour is late. I suggest we reject this Conference Committee Report and start conducting the people's business as it should be conducted, through the orderly process of committee hearings and deliberation. That's something this report didn't get.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Savickas.

SENATOR SAVICKAS:

Yes. Mr. President, Members of the Senate, I would just like to comment on the Superintendent and this decision to allow him to participate as Superintendent without some of these courses. To

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remind you that one of the courses that the Superintendent must take is a government relations course. A government relations course to a man that has served ten years in the California government - dealing with the Legislature in California for ten years. These are the type of courses they're trying to say this man must take to be qualified to deal with the public and to -- and to deal with the school process and administer the school business. I think that these things are really part and parcel of the problem, that we spend too much time nitpicking when we have a serious concern here. And that serious concern is the continuation of the operation of our school system in Chicago, and how best well to do that. And there is probably no best way, in each and every one of our minds, so we must go what -- what is available and each and every year try to improve. And I would suggest that we should just adopt this Conference Committee Report and go on with the business of the Senate.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Cook, Senator Alexander.

SENATOR ALEXANDER:

Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Indicates he will.

SENATOR ALEXANDER:

Senator Berman, is there something in this bill - I think that Senator Collins addressed it, but I was not on the Floor at that time and did not hear the full argument or discussion around it - that addresses that this present Superintendent must get these credentials during the life of his contract, which is only three years? I'm trying to find it in this shortened version, and I cannot.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

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SENATOR BERMAN:

This bill says - and I refer you to Page 23, lines 33, 34 and then Page 24, lines 1 and 2 - those set out the requirements for the General Superintendent of Chicago schools. And the lines that I refer you to say that the person appointed to this section is exempt from these provisions for the period January 1, 1990 to June 30, 1993. That's the term of his contract. That's the only period that he is exempt for. If he gets a new contract, he's -- he's not exempt under this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Alexander.

SENATOR ALEXANDER:

This would relate only to this one-time incident. Am I correct?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Only to Kimbrough, and only for his present contract.

SENATOR ALEXANDER:

In the event he does not become certified, then the exemption would not hold?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman.

SENATOR BERMAN:

Well, if -- if he comes up for -- if he wants a new contract beyond June 30th of '93, he has to qualify under existing law, not this law.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Gentleman from Cook, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in strong support of the Conference Committee Report on

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Senate Bill 1591. Having had the opportunity, as I did along with the Speaker, to have dinner with Superintendent Kimbrough, and explain to him, unfortunately, that the State of Illinois, given its fiscal condition, was truly not in a position to offer the kind of money that he, as a new Superintendent, felt was necessary to bring some stability to that school system. To bring some stability in terms of a contract with the teachers, so that we would know, with no question, that the schools would open in September, and hopefully would have a long-term contract so that there would be that stability in that system. This bill will afford the Chicago Board of Education the opportunity to garner, if they so choose, an additional sixty-six million dollars. I do not agree, frankly, that it is any way impacted upon the State of Illinois or its liability, actuarial or otherwise. And moreover, I would say to all of you from Chicago, "Be careful." If indeed we turn this bill down, you are saying to the people and the children of the Chicago school system, "You're stuck with a sixty-five- or seventy-million-dollar deficit, and there will be no chance of a contract." This is an alternative that has been discussed for quite some time, as a matter of fact. It's an alternative that some of us, frankly, don't think is the best alternative, but it is the alternative that is available to us, and I suggest the only one that is available to us, because when we passed out the four-billion-dollar education bill, we simply recognized that for no one of the nine hundred and forty-three or so school districts in this State was there enough money. And having had the opportunity to meet and discuss the school system with Superintendent Kimbrough, I could not more heartily agree with what Senator Jones and Senator Savickas says. To subject this individual - a highly qualified individual - to some esoteric, academic exercise is just plain silly, and we really ought not do it. Senate Bill 1591 will bring - I suggest to you

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strongly - stability to the Chicago school system. And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Keats.

SENATOR KEATS:

I would say briefly, I am sorry to constantly hear these references to Superintendent Kimbrough brought up. Many of us have said we are willing to help. That is not the issue. We understand the problems of the Superintendent. I'm sorry. That's not the problem. We could help. Many of us have been here long enough we remember the last time the Chicago school system went under, back in the late '70s. This bill is the exact same first paths they went down. Remember, their big problem was comingling of funds? They robbed Peter to pay Paul, and suddenly one day Peter ran out of money so they couldn't pay Paul. That's what this does. Let us not forget, it was a mere eleven years ago when that system went broke doing exactly this. For the good of your own people, don't do this to your own people again.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Brookins, for a second time.

SENATOR BROOKINS:

I apologize for having risen a second time, but there's some things that I -- I must say. Last Spring we took the responsible vote, so we was told, and we voted for reform, and we put into place all of them ideas and thoughts that we thought would work in the Chicago school system, only to send that package home and to be turned around because what we thought we was voting for we did not vote for, and legislation and ideas were slipped in there by organizations that was unbeknownst to us that did not do what we thought reform would do. A interim school board was named, and we thought that we had in place where a school board would go into force. And a school board has not been named in Chicago yet. And

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here that school board went out and hired a man whom they said was the best; paid him almost two times as much as the past superintendent - almost twice as much - and here he does not have the qualifications that lesser people that work in the Board of Education in Chicago have. Now that's not to say that because you have education and 'cause you've been to school and 'cause you have these skills make you better and great and et cetera. But it do goes to say that his school board, that it was not supposed to name him or hire him or give him that contract in the first place, has made a mistake in giving him a contract. And I say no. I'm not going to stand for it anymore. I'm also saying -- I'm also saying to you that he has fired people in the Board of Education with more qualifications than he has. So he should not have been there. Now I am also saying to you that if we're going to allow him the three-year door - that he knows that he's not going to be there any longer than three years anyway - then what are we doing for ourselves? So I am saying to you that I am not going to vote to allow him to sit there unless he go back and get qualified under the rules, because I do not want to send that signal down through the ranks of the Board of Education and to the other people that are there.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Fawell.

SENATOR FAWELL:

I move the previous question.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Berman, to close.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think this has been thoroughly debated. We are responding to the needs of teachers from one end of the State to the other regarding early retirement. Number two, the members of the

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Education Committee had the opportunity to meet Ted Kimbrough. I don't think there was anybody that was at that dinner that wasn't impressed with him and who hasn't been impressed with some of the tough decisions that he has undertaken. To my friend, Senator Kustra, I agree with you that I would have preferred to have this three months ago. You know and I know that's the way I like to operate. But the Chicago Board was hoping against hope that we could add money to the General State Aid Formula or to school funding so they wouldn't have to come in with this machination of shifting their own money. They would rather have had State money, but we didn't give it to them. And that wasn't known until this last week, when we finally passed our budget. Now I would suggest to you this: we're responding to teachers upstate and downstate. We're allowing Chicago to use its own resources, not the State's resources, to open schools in November -- I mean in September, in September -- and we are encouraging -- we are encouraging a man to do what he's hired to do, and that is to reform the Chicago school system, not to sit in a classroom to fulfill empty requirements. I solicit your Aye vote for the children of all of the State of Illinois.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1591. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? It'll be a long night. Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On this question, there are 29 Ayes, 27 Nays, and the First Conference Committee Report on Senate Bill 1591 is not adopted, and the Secretary shall so inform the House. Senate Bill 1700. The First Conference Committee Report on Senate Bill 1700. Mr. Secretary, please read the report.

ACTING SECRETARY: (MR. HARRY)

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First Conference Committee Report on Senate Bill 1700.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Welch. I'm sorry. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. The Conference Committee Report on Senate Bill 1700 - the subject matter is civic centers. The Conference Committee Report changes the name of the Waukegan Metropolitan Exposition Auditorium Authority to the Lake County Authority, the geographical boundaries of which shall be the boundaries of Lake County, excluding Waukegan. It requires the county board chairman to appoint all new members and removes the current court -- board members upon this Act's effective date; changes the name of the Shaumburg Civic Center Authority to the Illinois International Convention Center and increases the board membership from seven to nine. After September 1 in '90, upon the expiration of the times of the remaining three members of the Center East Civic Center Authority Board, their successor shall thereafter be appointed by the Mayor of Skokie with the advice and consent of the corporate authorities of Skokie. All appointments made by the Township Super of Niles shall be made with the advice and consent of the corporate authorities of Niles Township. It gives an applicant with a facility with more than four-hundred-thousand square feet of exhibition space a base sum of fifteen million dollars - which is now twenty - and makes it eligible to receive ten million dollars of that amount beginning in FY'91, the balance in FY'92, rather than twenty million beginning in FY'92. It makes libraries eligible for civic center funding; requires bonds to be issued in a total amount outstanding at any given time, not to exceed ten million; which amount is included within, and is not in addition to the two-hundred-million bond authorization for the purpose of making construction improvement grants by the Secretary of State, the

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public libraries and library systems; requires the -- requires the General Assembly to appropriate monies from the civic center bond money to fund the grants; creates the park -- Forest Park Civic Center Authority, the Cave in Rock Civic Center Authority, and the Columbia Civic Center Authority, and finally, makes the DeKalb County Agricultural Authority eligible to seek State financial support for an Ag center university support facility and arena in cooperation with Northern Illinois University.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Any discussion? The Gentleman from Kankakee, Senator Joyce.

SENATOR J.J JOYCE:

Yes. Thank you, Mr. President. First, the question is: Did this bill start out as the Cave in Rock Civic Center? It is in there now, I understand.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

That's correct.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J JOYCE:

I'll get back to that one a little later. In this we are talking about ten million dollars for Rosemont. Are we not?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

Fifteen.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J JOYCE:

I'm sorry about that. Fifteen. We are talking about ten million dollars for a library fund in Chicago. Is that correct?

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PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

That's correct.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

On Page 52 of the bill - where this ten million dollars for the Chicago library system is - as I read that, it says, "notwithstanding, the foregoing bonds shall be issued in a total amount outstanding at any given time not to exceed ten million dollars." Does that sound to you like it might be more than ten million dollars? If they pay the bond down, could they come back, you know, if they get -- if this money the first of July and then the first of August if they pay down two million, can they come back for another two million?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

In my opinion, I think you're correct.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

So then we don't know how much the ten million dollars could be. And on Page 52, further down where we changed the language, it says, "the General Assembly shall appropriate monies from the -- the fund to the Secretary of State and State Library and for the purpose of making such grants by the Secretary of State and the State Librarian under Section 7." Not only -- it could be more than ten million dollars, but it sounds like it would have to be if they would do this. And also Economic and Fiscal Commission happens to agree with you, so does BOB, that it could indeed be

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more than ten million dollars. Any time they paid it down they would be eligible for more. Is that correct?

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft.

SENATOR LUFT:

Yes.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Joyce.

SENATOR J.J. JOYCE:

Okay. Now I'm going to get back to the Cave in Rock part. You know, this is -- this is a great deal for downstate Illinois. We've got fifteen million for Rosemont and ten million and who knows how much for Chicago public libraries. And I -- I guess I don't mind that if that's what we started out to do, but we are going to create a civic center in Cave in Rock -- an authority. Now everybody in here knows that that authority is not ever going to get any money. But for the privilege of creating that authority in this little town in downstate Illinois, Cave in Rock, it's going to cost twenty-five million - maybe more - for two counties up North. Now that -- that's fine -- one county I guess -- yeah -- one county. It's just not a very good trade. And now the Cave in Rock Authority - I guess why I wanted to get back to that was I think our history tells us that Cave in Rock was -- is this big cave on the river. And as the travelers going up and down the river would go by this, people would stand a naked lady out there or some such thing, and the travelers would come in. They would be lured in, and as they're lured in, the bandits inside of the cave would take them and rob them. I think they had a better deal than the downstaters in this bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Point of order. The Gentleman from DuPage, Senator Philip.

SENATOR PHILIP:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. I may have, perhaps, been the only Member sitting on the Floor of this Senate that's ever been to Cave in Rock. Oh -- there's -- there's -- Oh, there's three, four -- beautiful.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Point of order.

SENATOR PHILIP:

You -- you all know then, there's three saloons there, one restaurant, a gas station and a ferry...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

What happened to the cave?

SENATOR PHILIP:

...that goes across the Ohio River. I tell you one thing, we ought to try to help Cave in Rock. It's a beautiful town - great people. And I would suggest we all ought to support 1700.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Gentleman from Rock Island, Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I have to agree with my esteemed -- Senator Jerome Joyce. You know, he -- he took most of what I had to say, but you know there's a few other things we lost in -- in this as a downstater, also. We -- we -- we lost Macomb. I don't know -- I don't know where the Macomb Civic Center and Western Illinois Civic Center went in this. All of the sudden we have a bill and at the last hours we all of the sudden get Rosemont and Schaumburg. And I have no qualms with those. I think those should be in, but why did we remove Western Illinois and Macomb from this bill? Well you know -- and I'm one of the signers of this -- of this Conference Committee, but I'm probably going to stand here and tell you that I - even though I signed it - I'm probably going to have to vote against it, because of the perpetual item of a -- of the libraries. We would all like to

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take home to our libraries downstate or anywhere else throughout the State of Illinois ten million dollars each and every year, potentially. And I think that would be great, but that's something that's just not in the cards. Earlier we passed a -- a -- a water systems bill that is being held up in the -- in the House and appears to be going nowhere. And if we need to get some of these things going - if this is a pork barrel - I'm here to tell you that the radium and the DHMs and our water projects are not pork barrel, and -- but if you want a little pork, we'll probably give you some for some good projects. Let us have our downstate water.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from Adams, Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I, too, rise in opposition of this Conference Committee Report. The other day we discussed Senate Bill 1700 and a number of our civic center authorities, and I would reiterate the fact that all we're doing is creating the opportunity for these people to apply for civic center money - doesn't necessarily guarantee them anything. But we were told, or discussed an amendment that was put on this bill that dealt with the use of capital funds for operations. And that was the discussion then, when the bill went down. It went back and went into conference, and as it comes out it has none of our civic centers on it. We were told and kind of led along saying, "Don't worry, we're just going to take out that amendment. Everything's going to be fine," until we see this filed at the very last minute, and our civic centers are not in it. I think this has been handled very poorly, and I think it's unfair. I also see in here where Northern Illinois University has the opportunity to have civic center monies for an auditorium. That was what Western Illinois, in Macomb, was trying to do with

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our university in conjunction with our city. I think it's unfair, and I hope we can defeat this.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The Lady from DuPage, Senator Karpziel.

SENATOR KARPIEL:

Thank you, Mr. President. I'm not standing to defend the Rosemont or to defend taking out the downstate civic authorities, but someone mentioned Schaumburg. I just want to say that the Schaumburg Civic Center is not being approved in this -- in this Conference Committee Report. Schaumburg is already on the list. It's ready to go with its application. The money is there. All we're doing with Schaumburg in this -- in this Conference Committee is changing the name and adding two members to the board. So just don't use Schaumburg as saying the North side -- North end of the State's getting all this. They already got theirs. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Lady from Cook, Senator MacDonald.

SENATOR MACDONALD:

Yes. I just want to reiterate also what Senator Karpziel has said. This Schaumburg Convention Center is very, very important to our area, and it is -- will be a culmination of over six years of work. It has very sound financing to it. It has investment from UNOCAL and Hyatt Hotels, and it certainly is a very worthwhile component of this particular bill. And I stand in support of Senator Luft's bill.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Luft, to close.

SENATOR LUFT:

Thank you, Mr. President. I'd only like to point out to Senator Donahue, when the Conference Committee arrived in the Senate and included the seven or eight civic centers that -- one

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of which she mentioned - one person signed the Conference Committee Report - only one. Everybody else refused, including your side of the aisle. There would have been no conference committee to deal with any subject matter dealing with civic centers had any of those -- or that list of civic centers had stayed on there. I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

The question is, shall the Senate adopt the First Conference Committee Report on Senate Bill 1700. All in favor, vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Secretary, please take the record. On this question, there are 30 Ayes, 24 Nays, 1 recorded as Present, and the Senate does confer <sic> with the First Conference Committee Report on Senate Bill 1700, and this bill, having received a constitutional majority, is hereby declared passed. Senator Watson, what purpose you seek recognition?

SENATOR WATSON:

Yes. Verification, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

It's in order. Gentlemen -- Ladies and Gentlemen, please be in your seats. We shall verify the affirmative vote. Mr. Secretary, please verify the affirmative vote.

ACTING SECRETARY: (MR. HARRY)

The following voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Daley, D'Arco, DeAngelis, Dudycz, Ralph Dunn, Etheredge, Friedland, J.E. Joyce, Karpiel, Keats, Kustra, Lechowicz, Luft, Macdonald, Marovitz, Newhouse, Philip, Savickas, Schuneman, Smith, Topinka, Weaver, Welch, Zito and Mr. President.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Senator Watson, are there any questions of the affirmative

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vote?

SENATOR WATSON:

Mr. President, this is a very strange roll call.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Ah, we've seen better ones than this.

SENATOR WATSON:

Senator Daley, please.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He's in -- Senator Daley's in his seat.

SENATOR WATSON:

Senator Brookins.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Back there. Senator Brookins is on the Floor.

SENATOR WATSON:

Keats.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Keats is in his chair.

SENATOR WATSON:

Okay.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

He hasn't moved.

SENATOR WATSON:

That's it. Thank you.

PRESIDING OFFICER: (SENATOR LECHOWICZ)

On this question, there are 30 Ayes, 24 Nays, 1 recorded as Present. The Senate does adopt the First Conference Committee Report on Senate Bill 1700. This bill, having received a constitutional majority, is hereby declared passed. Do we have No. 9 - Supplemental No. 9? We'll stand in Recess until we get Supplemental No. 9. A few minutes, please. The Gentleman from Cook, Senator Marovitz, what purpose do you seek recognition?

SENATOR MAROVITZ:

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Well, as long as we're at ease -- just before we leave tonight, on your desk was passed out something about legislators' night at White Sox Park. If any of you are interested, it's on the 14th of September. And you get a chance to see the first place Chicago White Sox against the first place Boston Red Sox. Bring your families. It's a Friday night. We made it on the weekend so you could...

PRESIDING OFFICER: (SENATOR LECHOWICZ)

Put him on, will you? Thanks. Senator Marovitz. Oh, I'm sorry. They're putting in -- you're going to have to wait. We -- we got the message. September 14th. Comiskey Park. One moment, Adeline. ...(machine cutoff)...

PRESIDENT ROCK:

Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, Ladies and Gentlemen of the Senate, I've been asked by the Governor's staff to tell you all that you're all invited after this great event tonight to the Governor's Mansion for a little repast.

PRESIDENT ROCK:

All right. No, the Governor has extended to all a cordial invitation to join him at the conclusion of the Session, which I hope will be within the hour. We are on Supplemental Calendar No. 9. Supplemental No. 9. Does everybody have a copy of Supplemental 9? We have Senators Netsch, Collins, Tom Dunn, Jones and D'Arco on Supplemental No. 9. Senator Collins, are you ready on 2-8-9-9? All right. Ladies and Gentlemen, on Supplemental Senate Calendar No. 9, on the Order of Conference Committee Reports - we'll skip Senator Netsch's 2-8-7-2. It's not yet been distributed. On the Order of Supplemental Senate Calendar No. 9, Conference Committee Reports is a report with respect to House Bill 2-8-9-9, Madam Secretary.

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SECRETARY HAWKER:

Second Conference Committee Report on House Bill 2899.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Yes. Thank you. 2899 is now in the same position that it was when it left the House -- the Senate originally and went back to the House. It is the Chicago Transit's Authority bill. It now has the kissing amendment included, offered by Senator Watson, and I would just move for its adoption.

PRESIDENT ROCK:

Senator Collins has moved the adoption of the First Conference Committee -- Second Conference Report on House Bill 2899. Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, this is going to fly out of here. But just for the record, I think it's a very bad idea for the Legislature to be making determinations - very subjective determinations - about what ads are good and what ads are bad, what ads are in good taste and what ads are in bad taste. I mean, one man's feast is another man's fancy. And the fact is this -- this may not be the - the very best idea, but the fact is, who are we to put our imprint and our approval on certain ads if someone's willing to pay for it. The ad is obviously not obscene. No one's saying that it is. It may be distasteful, but the fact is, I don't think that's the Legislature's business.

PRESIDENT ROCK:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on House Bill 2899. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 51 Ayes, 2

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Nays, 3 voting Present. The Senate does adopt the Conference Committee Report on House Bill 2899, and the bill, having received the required constitutional majority, is declared passed. 3-9-6-2. Senator Dunn. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 3962.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. This is the agreement that the Governor is on board and will approve, as I understand. It exempts deliberations for final orders and decisions and opinions of the Gaming Board from the Open Meetings Act. Requires an application for an owner's license permitting operations on 1/1/91 to be filed by 7/1/90. Allows wagering to be conducted with money or other negotiable currency as permitted by the board. The Governor is not on board on the two provisions as follows: the -- the prohibition against issuing a license authorizing river boats to dock in a municipality of under two thousand - shall not apply to the second set of licenses. And secondly, requires an owner's license to be issued to a river boat dock in East St. Louis. It's my understanding that the Governor has not taken a position on these two items - whether he will veto them or not. I suggest an Aye vote.

PRESIDENT ROCK:

Discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I stand in -- in support of this Conference Committee Report with -- with a couple of caveats, if I might. I would agree with -- with Senator Dunn that the Governor has not signed off on -- on some of the provisions. One of the problems that I have with the -- with the bill - and it's one that

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we negotiated, but it was part of the bailout of East St. Louis - was that the East St. Louis would be guaranteed a license. I would hope that the Governor - if in fact he is not going to use that as a -- a revenue stream - that he would amendatorily veto this out of the Act whenever the time comes. I do have a small problem with the cash on the boats, but I -- I think that is -- is offset by the fact that the real provision of that part of the bill is to provide that there is banking off premises. And I think that's the key of the -- the cash and -- and that's meant to -- to give a little more direction to the board to allow people to get on and off without all of the hassle of having to stand in line to -- to -- to put in their chips or whatever. I think it's -- overall it's a good bill. It's a good attempt that was made in order to -- to make sure that the board's interests are met and that some of the clean-up language is given. I don't think it goes far enough, but yet, at the same time, I ask for an Aye vote.

PRESIDENT ROCK:

Further discussion? Senator Karpriel.

SENATOR KARPIEL:

Thank you, Mr. President. Could you tell me why, Senator Dunn, the -- you've -- you've - now are allowing the small municipalities under two thousand population to apply for licenses?

PRESIDENT ROCK:

Senator Dunn.

SENATOR KARPIEL:

I mean, is there some...

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

I'm sorry, Senator Karpriel. I don't know the origin of that. If my staff person would come over maybe we could give you some

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input. I apologize for not having the answer.

PRESIDENT ROCK:

Senator Karpel. Senator Jacobs.

SENATOR JACOBS:

Thank you. Senator, if you want a direct answer, and I -- and I'm sure you do - the reason that was taken out is -- is -- is that Sauget had applied for a license and they were de-annexing from the county to be -- from the city to become part of -- part of the county so they could then apply for a license through the county. Inasmuch as they are being excluded from year one almost, by virtue of the fact that East St. Louis gets one, they have agreed to -- to -- to that type of a position and have stepped back from the first year license application with the agreement that we would remove that proviso. That proviso was put in the first place at the request of the Representative Wyvetter Younge from there who knew that Sauget would be coming in. And it was agreement at that time. And in as much as Sauget has been willing to be so kind as to acquiesce, we thought we should remove that.

PRESIDENT ROCK:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor, Mr. President.

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Rigney.

SENATOR RIGNEY:

I'm trying to add up now just how many of these licenses are committed. First of all, as I understand it, I think there will eventually be a total of ten licenses or twenty boats. Is that correct?

PRESIDENT ROCK:

Senator T. Dunn.

SENATOR DUNN:

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Yes, Sir.

PRESIDENT ROCK:

Senator Rigney.

SENATOR RIGNEY:

We're committing ourselves to a license for East St. Louis. That means two boats have to be there?

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

Could be.

PRESIDENT ROCK:

Senator Rigney.

SENATOR RIGNEY:

Then I believe there's something about the Des Plaines River. There's -- in other words it only -- if a -- if an owner has a license, he has to put one boat on the Des Plaines. Is that it? Can he take the other one over to the Mississippi?

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

I believe the intent is that if an owner has a license, he is restricted to -- in Will County, to Will County -- that he cannot take a license from Will County and transfer it to the Mississippi. So it would restrict it to Will County.

PRESIDENT ROCK:

Senator Rigney.

SENATOR RIGNEY:

So, in other words, we're talking about two boats there. We're talking about two boats in East St. Louis. And then didn't we do something on the Illinois also?

PRESIDENT ROCK:

Senator Dunn.

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SENATOR T. DUNN:

There may be two issued on the Illinois. It's optional.

PRESIDENT ROCK:

Senator Rigney.

SENATOR RIGNEY:

Well, I just kind of wonder why we're tying up all the licenses in this fashion. Why are we not just kind of letting free enterprise determine, you know, where they should be located?

PRESIDENT ROCK:

Further discussion? Senator Rea.

SENATOR REA:

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

PRESIDENT ROCK:

Indicates he will yield, Senator Rea.

SENATOR REA:

With the commitment to East St. Louis, what effect will that have on the City of Cairo, who is preparing to make application within, perhaps, the next couple weeks? Would this...

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

They would have to apply by July 1.

PRESIDENT ROCK:

Senator Rea.

SENATOR REA:

I'm sorry, I didn't hear you.

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

They would have to apply by July 1 of this year.

PRESIDENT ROCK:

Senator Rea.

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SENATOR REA:

I understand that, but will -- by guaranteeing East St. Louis, will this eliminate or jeopardize the City of Cairo?

PRESIDENT ROCK:

Senator Dunn.

SENATOR T. DUNN:

It does not. That's within the discretion of the board.

PRESIDENT ROCK:

Senator Rea. Further discussion? Further discussion? Senator Jacobs, for the second time.

SENATOR JACOBS:

Just to clear up. And if I would have known I was going to be the -- the last speaker here, I probably would not have rose again. But the issue is in -- concern with the dedication to East St. Louis and the one to Will County. Last year we did the one to Will County. I'm the sponsor of the bill, and I was looking for two to my county. I don't even have a guarantee of that. But I'm not concerned with that, because we were asked by good responsible people to assist the Governor in finding a revenue stream if, in fact, we were to bail out the -- the City of East St. Louis. We felt that one of the only ways that they would be able to come up with any revenues would be through the riverboat gambling. So we acquiesced to that. It's not that we're looking to give these licenses away. And, Senator Rigney, I understand your concern. But I have that same concern. And I understand Jimmy Rea's - Senator Rea's concern. But I think that -- that we're going to have a regional effect here. I think we're going to have an imaginary Mason-Dixon Line of which two will be issued on the Mississippi below that and two above that. And from that standpoint, it's all open competition, with the exception of East St. Louis, only because the bailout. But if the Governor - as I said earlier - if the Governor does not desire to use that as a

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revenue stream, I hope he vetoes that out of the bill.

PRESIDENT ROCK:

Further discussion? Further discussion? Senator Dunn, to close.

SENATOR T. DUNN:

Thank you, Mr. President. I urge an Aye vote.

PRESIDENT ROCK:

The question is, shall the Senate adopt the Conference Committee Report on House Bill 3962. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 27 Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on House Bill 3962, and the bill, having received the required constitutional majority, is declared passed. 1951. Senator Jones. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 1951.

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

Thank you, Mr. President, Members of the -- of the Senate. The First Conference Committee Report on Senate Bill 1951 is the omnibus pension bill. It contains many provisions in there for several systems, as well as the City of Chicago and the Chicago School Board. It also contains in there the provision of Senator Davidson - there is a three-percent increase with the survivor's annuity, which was not intentionally left out of Senate Bill 95 we passed last year. So that is a -- a change that we put in the bill. For the Chicago Police Annuity and Benefit Fund, it provides a minimum survivor's benefit of fifty-percent of the earned retirement benefit for all widows of policemen who die

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after January 1, 1991. It also allows a surviving spouse of a member killed in the line of duty to remarry before the age of sixty without losing benefits. For the Chicago Fire -- Fireman's Annuity and Benefit Fund, it raises the widow's annuity from three hundred and twenty-five dollars to four hundred dollars per month, and also contains the same provision as it do for a policeman as allowing a surviving spouse to remarry. And there's other minor benefits in here that the system, as well as the -- the administration, has signed off on. They are provisions for the -- the Chicago municipal and the Chicago Municipal and Labor provisions. That is -- one of the highlights of that provisions is after thirty years of service, there's no penalty for early retirement if you attain the age of fifty-five. Now you are penalized and you have to wait until you're age sixty in order to receive full benefits. Many, many other provisions are in there that I know calls for minor costs that has been approved by the administration and the system. There are provisions for the county employees, the Chicago Park District, as well as the Metropolitan Sanitary District, the State Universities Retirement System. There's some clean-up language as well as the three-percent survivor's annuity for the City of Chicago Teachers' Retirement System as well as the State Teachers' Retirement System. There's some clean-up language as well as the three-percent survivor's annuity. And Chicago teachers -- one of the main provisions in there is that a teacher, after thirty years of service, will be able to retire without that discount for their annuity. For the elected officials of the City of Chicago, the alderman, there's a -- there's a voluntary -- there's an Elected Official Optional Contribution Plan for the Chicago alderman. If they elected to participate in that type of pension system, they may do so. They can buy time for time they have served in the city council, as well as the Park District and other local units

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of government, but they have to pay the interest as well as their share that they would have had to pay had they belonged to that system. All these issues that are involved here have been signed off by the administration as well as the retirement systems. I ask for a favorable vote on this Conference Committee Report.

PRESIDENT ROCK:

Discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on -- I'm sorry. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I'm not -- Senator Jones may have mentioned this, but I didn't pick up on it if he did. For those of you who are interested in what there may be in here for downstate people, there's not a lot. But in the case of the Teachers' Retirement System, the provision is in here to increase the allowable payment for health insurance from fifty percent to seventy-five percent of costs for those retired teachers that have been writing to you about that issue. The other issue I think you've heard a lot about is the one that would -- was asking for credit for military service. That is not in the bill and was really never on the table. There are a number of administrative changes that are important to the State Employees' System, the Teachers' System, General Assembly and judges. For the most part, the bill consists of Chicago and Cook County language in which both the employer and the employees have signed off. Senator Friedland and I did sign the Conference Committee Report, and I intend to vote for the bill.

PRESIDENT ROCK:

Further discussion? Senator Keats.

SENATOR KEATS:

Quick question. I hope my analysis is wrong. This says we are now establishing a pension fund for Chicago alderman allowing

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the transfer of funds back and forth -- was put in at the last minute without agreement. Could you let us know about the Chicago alderman, please?

PRESIDENT ROCK:

Senator Jones.

SENATOR JONES:

The Chicago -- the Chicago alderman would have the same benefits as you have, Senator Keats.

PRESIDENT ROCK:

Further discussion? Senator Jones, to close.

SENATOR JONES:

I just ask for a favorable vote on the Conference Committee Report.

PRESIDENT ROCK:

The question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1951. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have all voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 55 Ayes, 1 Nay, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1951, and the bill, having received the required constitutional majority, is declared passed. 2217. Senator D'Arco. Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee report on Senate Bill 2217.

PRESIDENT ROCK:

Senator D'Arco.

SENATOR D'ARCO:

Thank you. Mr. President, this is the Conference Committee Report relating to the Chicago Medical Center District. It expands the boundaries of the District. It also increases the Mayor's appointment to the commission from one to three and

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eliminates the appointment of the Chicago Park District and the President of the County Board. It also provides that the commission is to administer and exercise ultimate authority with respect to the development and operation of the Chicago Technology Park. It also deletes a provision prohibiting the commission from restricting the construction or location of buildings within the district used or to be used by Cook County in connection with County Hospital and also by the State of Illinois in connection with all buildings owned and operated by the State of Illinois. I don't know of any opposition. I ask for a favorable vote.

PRESIDENT ROCK:

Discussion? Senator Collins.

SENATOR COLLINS:

Senator D'Arco, I'm sure that you know that last year there were several community groups concerned about this -- the expanding powers of this -- this commission.

PRESIDENT ROCK:

Senator Collins.

SENATOR COLLINS:

Senator D'Arco, I'm -- I'm -- I would like for you to answer one question, because last year there were a lot of concern about raised with -- I mean -- over -- I mean community groups in reference to the expanding powers and duties of this commission and -- without adequate input from the community. Have you had any involvement at all with any of these groups, letting them know about what we're doing here? Such as ...(machine cutoff)... Council and some of those other groups down in that area?

PRESIDENT ROCK:

Senator D'Arco.

SENATOR D'ARCO:

Yeah. The -- the concerns of the community groups are not with expanding the boundaries to Western Avenue and Western -- and

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to Ogdon Boulevard -- Ogdon Boulevard to Western and Western Avenue on the West. Their concerns were with some property that the commission wanted to acquire in the district area. And those concerns have been resolved a long time ago. That is no longer an issue, and it was resolved to everyone's satisfaction.

PRESIDENT ROCK:

Further discussion? Any further discussion? If not, the question is, shall the Senate adopt the Conference Committee Report on Senate Bill 2217. Those in favor will vote Aye. Opposed, vote Nay, and the voting's open. All voted who wish? Have all voted who wish? Have all voted who wish? All voted who wish? Take the record. On that question, there are 50 Ayes, 4 Nays, 2 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 2217, and the bill, having received the required constitutional majority, is declared passed. 2872. Senator Netsch. I'm told has been distributed. Madam Secretary, on the Order of Conference Committee Reports is a report with respect to House Bill 2-8-7-2, please.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 2872.

PRESIDENT ROCK:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I would move for the adoption of the First Conference Committee Report on House Bill 2872. By now, I think it must have twenty-seven different parts to it. I will, briefly, describe only the major ones. It does include the Will-Kankakee Development Authority Act, which I believe was Senator Dunn's and Senator Joyce's. It includes the provisions which the Cook County Assessor sought having -- which basically authorized triennial assessment, and also deal with landmark property. It includes Senator Rock's provision having to do with

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landmark property. It includes the Barton and -- the Canton and Bartonville TIF extension. It includes an extension to East St. Louis to allow them to file their home rule ordinance. They -- the deadline was missed. It authorizes DCCA to fund a -- four additional not-for-profit regional tourism councils. Let's see. What else? Oh, it does include the Misericordia provision, as it has been known, and the electronic funds transfer study. What is perhaps equally important or more important is that it -- oh, the most important provision that it does include - or one of the most - is that it does authorize the home rule communities to accelerate a payment that they would otherwise lose with the change in the Sales Tax Reform Act. So it is extremely important to Aurora, Bloomington, Chicago, Decatur, Joliet, Normal, Peoria, Springfield and Urbana. It does not include the provision which authorized Chicago to impose a use tax to be collected by the State on automobile dealers in the county area and the surrounding county area. That is not in this Conference Committee Report. I would be happy to answer any questions.

PRESIDENT ROCK:

Discussion? Senator Rigney.

SENATOR RIGNEY:

Question of the sponsor.

PRESIDENT ROCK:

Sponsor indicates she will yield, Senator Rigney.

SENATOR RIGNEY:

The language for Canton and Bartonville extending those TIF districts for twelve years - that's a substantial change. Who wanted that and why is it necessary?

PRESIDENT ROCK:

Senator Netsch.

SENATOR NETSCH:

Senator Luft, I believe, was the initiator of that and will

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respond.

PRESIDENT ROCK:

Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. That was a bill that was passed and is on the Governor's Desk already. It extended the life of a TIF -- real estate TIF that was created prior to 1980. I think there were three. This reflected two of them. I don't know why the House Members persisted in incorporating in this bill. We, in fact, conferred the amendments in the Senate bill today, and the bill, doing exactly what this does, is on the Governor's Desk.

PRESIDENT ROCK:

Discussion? Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President, Ladies and Gentlemen of the Senate. Isn't this strange. Almost every provision in this bill, House Bill 2872, passed this Chamber on a little gem that went over to the House, that had all of our downstate water projects on, had the hundred million dollars for the School District Construction Bond Act, was all stripped out, put on this bill, and I guess maybe the House is trying to send us a message that they don't intend to call that bill this Session. That perhaps there is some other historic value, I guess, over the summer as we go into the fall. It just seems to me that all of the provisions that are in here are decent provisions. They're good provisions -- probably ought to be passed. It seems to me that, you know, there's a lot of surreptitious things going around -- along -- around here at this hour of the night. I've been here for sixteen years. I guess it happens every year.

PRESIDENT ROCK:

Further discussion? Senator Severns.

SENATOR SEVERNS:

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Thank you, Mr. President. Would the sponsor yield for a question?

PRESIDENT ROCK:

Indicates she will yield, Senator Severns.

SENATOR SEVERNS:

Well, I believe that the provisions outlined in 2872 are good, and I'm especially delighted that the community of Decatur and other home rule communities have the opportunity to finally get their cash flow that I think is deserved. I'm curious why they have to apply for it. Why is it not automatic?

PRESIDENT ROCK:

Senator Netsch.

SENATOR NETSCH:

The request came from the Department of Revenue, and I cannot explain it further than that. They asked that they -- that that provision be included.

PRESIDENT ROCK:

Senator Severns.

SENATOR SEVERNS:

I -- I see Director Sweet on the Floor, and I'll intend to get my answer from him. I urge an Aye vote.

PRESIDENT ROCK:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President. I won't belabor the point. I guess, you know, again it just shows, and I got to agree with Senator Demuzio. The sales tax provision which everybody else wants - the big guys want - they get. Here we from downstate, both on both sides of the aisle, walk home again being the victim of the other side of the rotunda that won't even call our damn bills. So let's just pass this thing, get the hell out of here and go on home.

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PRESIDENT ROCK:

Further discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would just add one thing to Senator Demuzio's comments - is that not everything in this bill has passed the Senate. And one of those provisions...

PRESIDENT ROCK:

Senator Demuzio. Thank you. I'm sorry, Senator Donahue.

SENATOR DONAHUE:

That's alright. -- dramatic change in our regional tourism councils and the fact that they will be subject to open meetings. That has not passed the Senate, and I'd just point out to the Members that that's in here.

PRESIDENT ROCK:

Further discussion? Senator Netsch, to close.

SENATOR NETSCH:

Thank you. There are, I think generally, non-controversial and excellent provisions in here, some of which are quite important. Senator Demuzio, to you I would say only that many of the provisions have been in this Conference Committee Report in its various lives, and I did vote for 3153 also.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the First Conference Committee Report on House Bill 2872. Those in favor will vote Aye. Those opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are 1, none voting Present. The Senate does adopt the First Conference Committee Report on House Bill 2872, and the bill, having received the required constitutional majority, is declared passed. Number 10. ...(machine cutoff)... Senator Geo-Karis.

SENATOR GEO-KARIS:

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Point of inquiry. Have we gotten all our appropriation bills passed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Not everything I have is passed.

SENATOR GEO-KARIS:

Are -- are they being surreptitiously held in the House, just like they wouldn't even call the amnesty bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

I think you're right.

SENATOR GEO-KARIS:

You're darned right I am.

PRESIDING OFFICER: (SENATOR DEMUZIO)

That's right. Right on. Anymore? All right. Ten. We ready? No, we're not ready. House Bill 4126. It's my understanding that we're not loaded properly, but it's showing up on the board, so if no one complains, Madam Secretary, House Bill 4126.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 4126.

PRESIDING OFFICER: (SENATOR DEMUZIO)

No. Take -- whoa -- whoa -- whoa. All right. Take it out of the record. There will be another supplemental out momentarily with two additional items. Messages from the House.

SECRETARY HAWKER:

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to adopt the First Conference Committee Report on Senate Bill 1136 and requests a Second Committee of Conference to consider the differences between the two Houses in regards to Amendments No. 1 and 2.

Action taken by the House, June 30, 1990.

PRESIDENT ROCK:

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...(machine cutoff)...Messages from the House. Oh, I'm sorry.
...(machine cutoff)...All right. The House has made a request
that we accede to the request for a Second Conference Committee on
1136. Senator D'Arco moves to accede to that request. Without
objection, leave is granted. Supplemental Calendar No. 11 has
been distributed. I would ask all the Members to take a look on
their desks amidst the wealth of paper we all have and see if you
have Supplemental Calendar No. 11. These are the last two items
on the regular Calendar -- on the regular Supplemental Calendar.
Thank you. ...(machine cutoff)... Senator Raica, are you ready
to go, sir? Good. As soon as the computer's ready, we'll all be
ready. Senator Raica, while we're waiting on the computer and
getting our papers in order, perhaps we could go to the Order of
Conference Committee Reports. This is Supplemental Senate
Calendar No. 11. To the best of my knowledge, this is the last of
the supplemental Calendars. Thank you very much. Thank you for
your patience. I know there are some among you who are
disappointed, but perhaps we can find a twelfth if we push it. On
the Order of Conference Committee Reports is a report with respect
to Senate Bill 2-1-2-7. 2-1-2-7, Madam Secretary, please.

SECRETARY HAWKER:

First Conference Committee Report on Senate Bill 2-1-2-7.

PRESIDENT ROCK:

Senator Raica.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.
Senate Bill 2-1-2-7 allows IDPH to make grants to Level I trauma
centers. This -- the Department of Public Health has received a
five-million-dollar appropriation. This is the substantive
language. It is agreed to by the Governor, by the City of
Chicago, and by the Department of Public Health. Unless a Member
has some objection, I solicit an Aye vote.

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PRESIDENT ROCK:

All right. The Gentleman has moved the adoption of the Conference Committee Report on Senate Bill 2-1-2-7. Discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President. I don't recollect any trauma centers other than Urbana and Peoria, south of Springfield. The three that I see there are in St. Louis. You know, we had a rural health program, and we asked for a little money around here and put in some money - got zero. Got a program that doesn't do anything because there isn't any money, but we got five million dollars for this program. Five million bucks for this program. When this thing is all over with tomorrow, I'd like for everyone to sit around and analyze just exactly what we did in this Session. I don't think we're going to be too pleased with ourselves.

PRESIDENT ROCK:

Further discussion? Senator Rea.

SENATOR REA:

Thank you, Mr. President. Senator Demuzio is exactly right. You know, this is something that we have been working on for quite some time in terms of a primary health care package. And then we -- we do not find the money to fund the program - a comprehensive good program that we've been working on for the last two or three years. And then, all at once, we find five million dollars here for this here. And I don't say that there's not a need, but as Senator Demuzio said, you know, it's Level I. I don't see any Level II in here, which gets to other parts of the State. So I -- I have some real problems with this. I think that we ought to get our priorities in order.

PRESIDENT ROCK:

Further discussion? Senator Topinka.

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SENATOR TOPINKA:

Yes. Mr. President and Ladies and Gentlemen of the Senate, I stand in support of this bill, because on numerous occasions when we've had trauma legislation with very uneven cash flows that would be able to support such a program because the taxation was -- involved such things as traffic tickets and various other things that led to trauma. And then we talked about liquor and we talked about cigarettes and -- the lottery - all sorts of ideas that had just a very uneven flow of currency coming into a program. This is good because we do provide a funding source. It's solid. It's given. You can see, feel, and touch it. It will deliver on the job. Our trauma system has taken a terrible beating. It's not going to solve everybody's problem, but it sure is a good first step.

PRESIDENT ROCK:

Further discussion? Any further discussion? Senator Raica, you may close.

SENATOR RAICA:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Rea and Senator Demuzio, I don't know how else to put it. We had a bill here at the beginning of the year, I think it was back in -- in February and March that we put in. And we would have charged fines to -- to drivers who were convicted of certain traffic offenses. That would have given Level I and Level II trauma centers, throughout the State, thirty-nine million dollars. You rejected that. You said you're going to feel bad when we go back home. This is five million dollars, and it's five million dollars needed to these trauma centers. This is the language that IDPH needs to -- to put this five-million-dollar mechanism in shape. And I don't think we can afford anyone to die because we neglected to put the wording in. And I just solicit an Aye vote.

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END OF TAPE

TAPE 3

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 2-1-2-7. Those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, 1 Nay, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 2-1-2-7, and the bill, having received the required constitutional majority, is declared passed. On the Order of Conference Committee Reports, Madam Secretary, there's a report with respect to Senate Bill 1951, please. 1591, I'm sorry. 1-5-9-1.

SECRETARY HAWKER:

Second Conference Committee Report on Senate Bill 1591.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Second Conference Committee Report on Senate Bill 1591 is identical to the First Conference Committee Report on Senate Bill 1591. We debated it extensively. I'd be glad to respond to any questions, and I ask for an affirmative vote.

PRESIDENT ROCK:

Senator -- discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. If you downstaters thought that last bill was bad, this one --

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this one is really bad. You realize what you're doing for the first time? For the first time in the history of the State of Illinois, you're allowing a school district to take funds from the Building Fund, the Pension Fund, and make it for teachers' salaries. Now if that's a good policy for the State of Illinois, I don't know what is a good policy. Now why don't we once - one time during this Session - do what's right? Do the right thing and kill this damn thing dead.

PRESIDENT ROCK:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. I -- I know the opposition here appears to be anti-Chicago School District, and it's just simply not that at all. I -- I came to the office this morning very early, and I opened the first paper, and it happened to be the Tribune, and -- and read the story on the front page, and I was really shocked that -- that something this large, and of this magnitude was being presented today. And Senator Berman, you and I talked on the phone yesterday, and -- and it would have been an ideal time to have shared this with us, I -- I would think, but that didn't happen. Senator Kustra very -- very ably mentioned earlier that this is a massive change in State public policy, and to do this on the final night I think is a -- is a terrible miscarriage of what our responsibility really is, and I -- I would ask you, sir, do you believe that there is a fiscal impact in -- in FY'91 from the State's budget?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

No.

PRESIDENT ROCK:

Senator Maitland.

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SENATOR MAITLAND:

Why?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

The -- Chicago is using its own funds to open its own schools.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Senator, what about the State's share for the employer's contribution?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

This is the -- if you're talking about the Senate Bill 95 impact - is that what you're inquiring about? Or are you talking about the six-percent levy from the Chicago Board of Education for the pension?

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

Talking about the language on Page 6, starting with line 8.

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

I'm sorry, Page 6, line -- if you -- I'm sorry. Page -- just nod -- Page 6, line 8. Is that what you're referring to? That's Senate Bill 95, and I refer you to lines 15 through 19, which specifically say that there is no obligation under Senate Bill 95 for the diversion that this bill authorizes regarding this extra Chicago tax, which has been used to provide funds for the Chicago Teachers' Pension Fund, which is better funded, because of that

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Chicago tax, than almost any other Pension Fund.

PRESIDENT ROCK:

Senator Maitland.

SENATOR MAITLAND:

So it can or cannot be then, a fiscal responsibility of the State in FY'91?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

The diversion that you're authorizing here is not going to be an obligation of the State at any time -- at any time. That's what those -- that language starting with the word "not" on line 15 means. This is not included in the obligation of the State.

PRESIDENT ROCK:

All right. Senator Maitland.

SENATOR MAITLAND:

Well, my colleagues in the Senate, I think what we're demonstrating here tonight is a confusion on this bill. I don't care whether you're on this side of the aisle or on that side of the aisle, this is a very serious, serious issue to be dealing with at three-fifteen in the morning. It absolutely is. I think we defeated this bill before, and we ought to defeat it now.

PRESIDENT ROCK:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Can the sponsor yield for a question?

PRESIDENT ROCK:

Sponsor indicates he will yield, Senator Fawell.

SENATOR FAWELL:

Can you tell me what the impact on the State will be for the downstate pension? How much are we obligating ourselves for that per year?

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PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

Senator Demuzio asked those questions. I believe the impact is zero.

PRESIDENT ROCK:

Senator Fawell.

SENATOR FAWELL:

We are not going to be responsible for funding any of that additional pension when these teachers retire early and can pick up their pension?

PRESIDENT ROCK:

Senator Berman.

SENATOR BERMAN:

There is an impact Statewide, depending upon the number of teachers that may take advantage of the early retirement. Yes. That may have an impact.

PRESIDENT ROCK:

Senator Fawell.

SENATOR FAWELL:

That's one of the things that we're talking about. According to our analysis, that impact - and it's -- this is according to the Illinois Economic Fiscal Commission - says this bill is going to cost us seventy-four million dollars a year to fully fund, without including the added cost of the -- change in retirement age. That's why we're so concerned about this bill. You're talking literally millions of dollars, and, you know, we'd like to try and get this thing straightened out one way or another.

PRESIDENT ROCK:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. First of all, of course the bill

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has an impact on the downstate teachers' system. To the extent that people retire early, it's going to increase the cost, Senator. You know that. This -- this -- for those of you downstate, you know, please -- please think about this. This is not the time for the State to adopt a pension. We've got our own problems. The -- there are five State pensions. The State Employees' Retirement System, the Downstate Teachers' Retirement System, the University System, the Judges, and the General Assembly. Those are the five State systems. Chicago has their own system. We should not be adopting their system. We've got enough problems and enough unfunded liability of our own. Now if -- if there's some question in your mind, and you're a downstater, don't you think you owe it to your constituents at least to put off a vote on this issue, until you know for sure who's right about the issue? We shouldn't be looking at this tonight for the first time, and not know for sure whether you're signing on your constituents to pick up the tab for the pension system in the City of Chicago. I think that's precisely what this is intended to do. So think seriously about it, if you're a downstater.

PRESIDENT ROCK:

Further discussion? Senator Demuzio.

SENATOR DEMUZIO:

-- wasn't -- I -- I rise in support of this. You know, again, you know, I hate to reiterate and be redundant over what we've already discussed -- discussed earlier, but I do know the hour is late. The issue has been debated before. This is something that should have been taken care of as Senate Bill 95 last time. It was not. It was one of those -- it was the only pension system that was not included in that provision. The unfunded liability -- with the funded -- the liability with respect to the fifty-one million dollars to which Senator Berman referred to either this time or last time is going to be the obligation of the Chicago

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Teachers' System. It's written into the bill. The provisions that are being added are the same provisions that are being added for the Chicago Teachers' Pension System as they are for the downstate system, and I would rise in -- in support this evening.

PRESIDENT ROCK:

All right. Further discussion? Any further discussion? Senator Berman, to close, please.

SENATOR BERMAN:

Roll call, Mr. President.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on Senate Bill 1-5-9-1. 1591. Those in favor will vote Aye. Opposed will vote Nay, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 27 Nays, 1 voting Present. Senate Bill -- the -- the Senate does adopt the Conference Committee Report on Senate Bill 1591, and the bill, having received the required constitutional majority, is declared passed. Senator Maitland, for what purpose do you arise, sir?

SENATOR MAITLAND:

Thank you, Mr. President. Just to verify the affirmative vote, please.

PRESIDENT ROCK:

That request is in order. All right. Senator Maitland has requested a verification. I wish the Members would please be in their seats. Madam Secretary, read the affirmative roll, please.

SECRETARY HAWKER:

The following Members voted in the affirmative: Alexander, Berman, Brookins, Carroll, Collins, Daley, D'Arco, del Valle, Demuzio, Thomas Dunn, Hall, Holmberg, Jacobs, Jones, J.E. Joyce, J.J. Joyce, Kelly, Lechowicz, Luft, Marovitz, Netsch, Newhouse,

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O'Daniel, Rea, Savickas, Severns, Smith, Welch, Zito and Mr. President.

PRESIDENT ROCK:

Senator Maitland, you question the presence of any Member?

SENATOR MAITLAND:

Senator D'Arco.

PRESIDENT ROCK:

Senator D'Arco's down on my right hand.

SENATOR MAITLAND:

Senator Jacobs.

PRESIDENT ROCK:

Senator Jacobs is in his seat.

SENATOR MAITLAND:

Oh, he's asleep. Okay, I see him.

PRESIDENT ROCK:

All right. The roll has been verified. On that question, there are 30 Ayes, 27 Nays, 1 voting Present. The Senate does adopt the Conference Committee Report on Senate Bill 1591, and the bill, having received the required constitutional majority, is declared passed. Any other Member have any further business? Senator Smith, for what purpose do you arise?

SENATOR SMITH:

I have a House Bill 3580, please.

PRESIDENT ROCK:

All right. The Lady has requested permission to go to the Order of Consideration Postponed. On the Order of Postponed Consideration is House Bill 3580, Madam Secretary.

SECRETARY HAWKER:

First Conference Committee Report on House Bill 3580.

PRESIDENT ROCK:

Senator Smith.

SENATOR SMITH:

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Thank you, Mr. President. House Bill 3580 Conference Committee, the bill has -- is a compromise between the DCFS and the Senate and the House sponsors, plus Foster Care Parents Organization. It has been debated today, and all I'm asking for is a favorable vote.

PRESIDENT ROCK:

All right. Senator Smith has moved the adoption of the Conference Committee Report on House Bill 3580. Discussion? Senator Topinka.

SENATOR TOPINKA:

Mr. President and Ladies and Gentlemen of the Senate. Yes, it was debated today, and yes, it was defeated as it has been defeated before, because it would mandate us to a one-hundred-percent rating with whatever the federal government has, where we would now lock in - no matter what our fiscal condition would be, no matter what the State's economy would be at any given time - do we have money or not, we're locked in. We currently have the flexibility of the appropriations process. It works. There is no reason to change it, and at this hour of the morning, there is no reason to resurrect this bill, and let it die a quiet death.

PRESIDENT ROCK:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and Members of the Senate. There's a crisis in foster care in this State. This is a bill for kids, and considering what we passed out of here tonight, I don't see any problem at all in voting for this.

PRESIDENT ROCK:

Question is, shall the Senate adopt the Conference Committee Report on House Bill 3580. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. All voted who wish? Have

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all voted who wish? All voted who wish? Have all voted who wish?
Take the record. On that question, there are 38 Ayes, 11 Nays, 2
voting Present. The Senate does adopt the Conference Committee
Report on House Bill 3580, and the bill, having received the
required constitutional majority, is declared passed.
Resolutions, Madam Secretary. That's next.

SECRETARY HAWKER:

Senate Joint Resolution 2-1-2.

(Secretary reads SJR No. 212)

PRESIDENT ROCK:

Senator Demuzio.

SENATOR DEMUZIO:

Mr. President, Ladies and Gentlemen of the Senate, this is
the adjournment resolution. Calls us to return Thursday, November
the 8th, before Thanksgiving, to eat whatever is left, and if
we're lucky it seems to me that if we suspend the rules and adopt
this resolution, maybe we won't have to listen to Senator
Carroll's State of the State. I would move to suspend the rules
for the immediate consideration and adoption of Senate Joint
Resolution 212.

PRESIDENT ROCK:

All right. You've heard the motion. Senator Demuzio has
moved to suspend the rules for the immediate consideration and
adoption of Senate Joint Resolution 212. All in favor, indicate
by saying Aye. All opposed. The Ayes have it. The motion
carries. The rules are suspended. Senator Demuzio now moves the
adoption Senate Joint Resolution 212. All in favor, indicate by
saying Aye. All opposed. The Ayes have it. The resolution's
adopted. Madam Secretary, have there been any objections filed to
the Resolutions Consent Calendar?

SECRETARY HAWKER:

There have been no objections filed.

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PRESIDENT ROCK:

No objections having been filed, Senator Demuzio moves the adoption of the Senate Resolutions Consent Calendar. All in favor, indicate by saying Aye. All opposed. The Ayes have it. The resolutions are adopted. If I can have your attention, Ladies and Gentlemen. Senator Geo-Karis asked me to remind you the Governor has cordially invited you all to the mansion. In the mean time, in accordance with our Statutory and Constitutional duty, the Chair will recognize Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. First, let me truly thank President Rock, Senator Philip - on behalf of my colleagues - Senator Hall, Senator Etheredge, Senator Maitland, our staff directors, Marcia Thompson and John Kunzeman, and all the Members of the Senate for doing that, which in March, people said we could not do, and that is to craft a budget that had no new taxes, yet paid for all of our services in a timely fashion; made sure that seniors got their grants; made sure that hospitals stayed open. And Mr. President, Members of the Senate, under Article VIII of the Constitution of the State of Illinois, Section 2B, the General Assembly, by law, shall make appropriations for all expenditures of public funds by the State. Appropriations for a fiscal year shall not exceed the funds estimated to be available during the year. Let me announce that the Senate plan has been implemented, and now implemented by the House, and on the Governor's Desk. We will be appropriating thirteen billion eight million one hundred twenty-three thousand nine hundred dollars of General Revenue. Another thirteen billion two hundred and ninety-nine million three hundred and seventy-three thousand seven hundred in other funds. What that means is, the budget as introduced by the Governor, was twelve billion nine hundred sixty-nine million, including two hundred and

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thirty million dollars of taxes that we did not, in fact, pass. However, we did increase federal income to the State by some fifty-one million. We will use transfers from the feeder funds of some twenty million. There is in the bank tonight, at the close of business, three hundred ninety-five million dollars, which is a hundred and twenty million over that which the Governor projected. We believe, and there's still some dispute with the Bureau on this, that they will lapse permanently forty-eight million, and they will decrease lapse spending by some forty-five million. That means that there is available for appropriations, thirteen billion twenty-three million. We have appropriated thirteen billion seven million. If every bill we have passed is signed into law by the Governor, and fully spent under current revenue projections, the bank balance for the new Governor on June 30th of 1991 would be two hundred and ninety-one million. We have met the constitutional mandate, Mr. President. And I congratulate all the Members of the Senate for the unanimous support of this fiscal constraint, staying within available revenue.

PRESIDENT ROCK:

Senator Carroll, thank you. Any other Member have any announcement or business? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, I want to wish you a happy summer, and everyone else here, and a happy 4th of July, and many thanks for putting up with us.

PRESIDENT ROCK:

Thank you, ma'am. All right. If there is no further business to come before the Senate -- allow me just a moment to check with the House and see if, indeed, they're -- hey listen -- we've waited this long, I'm just going to call 'em and say it's -- I've got a message for the House, I want to give it to them personally. ... (machine cutoff) ... -- this will trouble everybody, but I

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think we're ready to adjourn, Senator Carroll. If there is no further business to come before the Senate, Senator Severns will move that the Senate stand adjourned until November the 8th at the hour of twelve o'clock noon. Ladies and Gentlemen, congratulations on a job well done. Senate stands adjourned.

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