

83RD GENERAL ASSEMBLY

REGULAR SESSION

JULY 2 , 1983

PRESIDENT:

The hour of nine having arrived, the Senate will please come to order. Will the members be at their desks and will our guests in the gallery please rise. Our prayer this morning by the Reverend Charles. L. Kyle, from St. Francis Xavier Church in Chicago, Illinois. Father.

REVEREND CHARLES KYLE:

(Prayer given by Reverend Kyle)

PRESIDENT:

Reading of the Journal.

SECRETARY:

Wednesday, June the 22nd, 1983 and Thursday, June the 23rd, 1983.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Mr. President, I was going to say, let us go home after we send...House Bill 1805 to conference, but I'll leave that out. Mr. President, I move that the Journal just read by the Secretary be approved unless some Senator has additions or corrections to offer.

PRESIDENT:

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

SENATOR KELLY:

Thank you, Mr. President. I move that the Journals of Friday, June 24th; Saturday, June 25th; Sunday, June 26th; Monday, June 27th; Tuesday, June 28th; Wednesday, June 29th; Thursday, June 30th; Friday, July 1st, in the year 1983...be postponed pending arrival of the printed Journals.

PRESIDENT:

You've heard the motion as placed by Senator Kelly. Any

discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Messages from the House.

SECRETARY:

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 recede from Amendments 8, 9 and 10 to a bill with the following title:

Senate Bill 1153, and they request a first Committee of Conference and the Speaker has appointed the members on the part of the House.

I have a like Message on Senate Bill 883, and the...no that...this...this is on a second...

PRESIDENT:

Alright. Senator Jones moves that we accede to the request of the House for the appointment of a Conference Committee. All in favor indicate by saying Aye. All opposed. The Ayes have it. The Senate does accede to the request of the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives refused to adopt the first Conference Committee report on Senate Bill 83 and requests a second as to their differences on Amendment No. 1, and the Speaker has appointed the members on the part of the House.

A like Message on House Bill 1002 with...Amendment No. 1; with Senate Bill...1001 with Amendments 1 and 2; Senate Bill 492 with Amendments 2 and 3; and House Bill 1955 with Amendment No. 1.

PRESIDENT:

Alright. Senator Zito moves that the Senate accede to the request of the House for the appointment of a second Conference Committee on those bills just read. All in favor

of the motion indicate by saying Aye. All opposed. The Ayes have it. The Senate does accede to the request of the House. Messages from the House.

SECRETARY:

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

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

House Joint Resolution 69, and Senator Hudson is the Senate sponsor, and it's congratulatory.

PRESIDENT:

Consent Calendar. Resolutions.

SECRETARY:

The following resolutions are all congratulatory:

Senate Resolution 304, by Senator Smith.

Senate Resolution 305, by Senator Smith.

Senate Resolution 306, by Senator Etheredge.

Senate Resolution 307, by Senator Lemke and all Senators.

And Senate Resolution 308, by Senator Demuzio and all Senators.

PRESIDENT:

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

SENATOR ZITO:

Thank you, Mr. President. I would ask leave of the Body to remove myself, Senator Demuzio and Senator Luft from House Bill 265 and place that bill in the sole sponsorship of Senator Darrow.

PRESIDENT:

Alright, you've heard the request. House Bill 265. Is leave granted? Leave is granted. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President, I think you should have taken my advice last night and made it 10 a.m., because they're probably just getting up now.

PRESIDENT:

Then we wouldn't start until eleven. The Senate will come to order. The Chair will observe that it is 9:45 a.m. on Saturday, July 2nd. I am told that there are ten appropriation bills that will shortly be before us, and there are probably a half a dozen others that are felt, in the opinion of the majority, to be necessary for the operation of State Government. So, we will begin at the top of the Calendar. The Chair makes no assurance that we will come back. So, as your proposal is called...House Bill 26. House Bill 320. House Bill 380. On the Order of Conference Committee Reports, top of Page 6, is Conference Committee report on House Bill 380. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. This bill includes the term "fire-paramedic" in the definition of fireman, and it also raises the maximum widow's annuity from four hundred to five hundred, and then there's a provision in here that provides that duty disability benefits in the IMRF system will continue at a ten percent increase if the person is on duty disability for more than five years. That's substantially what it does, and I would ask we adopt Conference Committee Report No. 1.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 380. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 36 Ayes, 20 Nays, 1 voting Present. The

Senate does adopt the Conference Committee report on House Bill 380 and the bill having received the required constitutional majority is declared passed, and having received the affirmative vote of three-fifths of the members elected, it is effective immediately upon its becoming a law. Senator Maitland asks leave to go up to Secretary's Desk Nonconcurrency on House Bill 556. Leave granted? Leave is granted. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and members of the Senate. I move that the Senate refuse to recede from Senate Amendment No. 1 to House Bill 556.

PRESIDENT:

Alright. Senator Maitland moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 556 and that a Conference Committee be...appointed. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries, and the Secretary shall so inform the House. 465. 687. 700. Senator Schaffer on the Floor? Senator Schaffer on the Floor? 798, Senator Vadalabene. Bottom of Page 6. On the Order of Conference Committee Reports is a Conference Committee report on House Bill 798. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. The amendment to House Bill 798, this amendment will allow twenty-eight Secretary of State investigators who became employed as such between 1967 and 1975 and having attained the age of sixty in such service to be eligible for retirement annuity although they have less than twenty years of service. This is the Secretary of State's bill and I move to concur with this amendment.

PRESIDENT:

Any discussion? Any discussion? If not, the question

is, shall the Senate adopt the Conference Committee report on House Bill 798. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 48 Ayes, 2 Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 798 and the bill having received the required constitutional majority is declared passed, and having received the affirmative of three-fifths of the members elected is effective immediately upon its becoming a law. (Machine cutoff)...Collins, for what purpose do you arise?

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. On a point of personal privilege.

PRESIDENT:

State your point.

SENATOR COLLINS:

I'm rising on this point in order to save...I hope will save us some time and that we will be able to get out of here today. And I would just ask all of the members on all of these Conference Committee reports, if it creates any new spending for whatever reason, that it be known when the person get up on the Floor and...and state it in the record. Any new commissions, any new expenditures not appropriated or specified in that tax package, I want to know and the citizens of this State got a right to know, so I am not going home and vote on a...on a machine gun, and that is a machine gun, without knowing. Now, whether you pass it or not, that's up to you, but I want to know.

PRESIDENT:

(Machine cutoff)...Newhouse, for what purpose do you arise?

SENATOR NEWHOUSE:

I seek leave from the Body to have Senator Hall added as

a hyphenated cosponsor on Senate Bill 1228.

PRESIDENT:

1248, Senate Bill.

SENATOR NEWHOUSE:

1228.

PRESIDENT:

1228. Is leave granted? Leave is granted. (Machine cutoff)...Senator Schaffer. Senator Schaffer on the Floor? On the Order of Conference Committee Reports, there's a Conference Committee report on House Bill 813. Senator Schaffer.

SENATOR SCHAFFER:

The House took my favorite bill and twisted it around. As it left here, what it said is if a receiving township that participated in the public aid system, which was...meant it was at the one mill level, had a referendum and was reduced to seven...or .75, that they still became a receiving unit. As I understand it, the way the Conference Committee now reads is that the...that particular township tax rate is now exempted from the referendum procedures which allow the taxpayers to, by petition, create a referendum to reduce the rate by twenty-five percent. Either you like it or you don't.

PRESIDENT:

Discussion? Senator Keats.

SENATOR KEATS:

Just to make sure people understand, I believe what that does is says that the voters cannot by referendum reduce their...basically, the Public Aid line item which would be an interesting exclusion, and I don't really think it's a good idea.

PRESIDENT:

Further discussion? Further discussion? The question is, shall the Senate adopt the Conference Committee report on

House Bill 813. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 17 Ayes, 28 Nays, 1 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House Senator Schaffer seeks the appointment of a second Conference Committee. 1178, Senator Bruce. On the Order of Conference Committee Reports is...it's on there in error? The Secretary informs me that the first Conference Committee lost and that is a typo error, so scratch 1178. 1257, Senator Welch. Senator Bruce.

SENATOR BRUCE:

My memory was, we dumped it. The...the second report is back, is the Calendar perhaps in error that that is the second report that should be on the Calendar rather than the first report?

PRESIDENT:

We will check. It...it...the Secretary informs me it has been filed, the question is, whether it's on...should be on this one or on the next supplemental.

SENATOR BRUCE:

That's...that's what I want to know, whether this was the right one or the wrong one. Thank you.

PRESIDENT:

We will...we will check and get back, with leave of the Body. 1257, Senator Welch. On the Order of Conference Committee Reports, Conference Committee report on House Bill 1257. Senator Welch.

SENATOR WELCH:

Mr...Mr. President, I have not received a copy of the Conference Committee report. I had one presented to me but I understand it was amended. From what I understand, I don't like it and I intend to speak against it, but I don't have a

copy of it. How do you want to proceed? I'd be glad to speak against it right now...

PRESIDENT:

Alright, we'll get back to that. Make sure Senator Welch gets a copy of 1257, please. They were distributed yesterday, I'm sure. Alright, Senator Bruce, the Secretary informs me that the Calendar is in error with respect to the parenthetical reference to first report. It should read second report. So, we'll go to House Bill 1178. Mr. Secretary, on the Order of Conference Committee Reports, the second Conference Committee report on House Bill 1178. Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. I thought perhaps the Calendar was in error. Yesterday we dumped the first report because the House had passed it with 61 votes but not enough to finally pass the bill. This is the latchkey bill which will...will initiate and allow, on a permissive basis, school boards to have programs before and after school. We had complete agreement when we went out of here, it went to the House, there was a reference to line 27, it should have been a reference to line 29. We then went into Conference Committee, there was an objection to some of the language that related to the city...to the schools in Chicago. Senator Berman and I had worked a long time on the downstate school language. It is preferable to and has, in fact, been inserted into this bill so that the language is identical now for Chicago and downstate as to latchkey. It removes all objections. We've passed it out of here twice, it was the House that had objections. Senator Berman and I met with the second Conference Committee late last evening along with Senator Holmberg. They agreed that our language said what they wanted it to say for Chicago, and now we're all on board.

HB 1257
Conf. Comm. Report

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on House Bill 1178. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 4, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1178 and the bill having received the required constitutional majority is declared passed, and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 1257. On the Order of Conference Committee Reports is a report with respect to House Bill 1257. Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. As many of you know I have spoken out in favor of 1257 against many amendments which I thought were going to hurt the bill. Some of the amendments were proposed by the President of the Senate, other amendments were proposed by the...by another majority leader in our party, but I rise today in opposition to the Conference Committee report and I urge its rejection. The Conference Committee report has shifted costs in the amount of six hundred thousand dollars, and under the claim of fairness, they have shifted them to people who can't afford to pay; they have shifted them to a form of tax that we don't want to impose, and they have shifted them away from themselves in a back room deal. And who is going to pay the extra money that they say they're going to raise by this bill? People in hospitals, for one. People who can't afford to pay. We're going to pay part of it. And what they have done is they have assumed that by raising more money, we're going to vote for this bill. Well, the bill isn't going to raise more money, it's fatally deficient, it has created a new...a new

term for which there is no definition. On Page 11 of the report, what it says is they're going to raise two cents a gallon, or four dollars and four cents a cubic yard of hazardous waste for treatment received as a hazardous waste treatment site. In the entire bill there's no definition of a hazardous waste treatment site, so we have to assume, patching together other definitions, what a treatment site is. If we...if we decide what the word treatment means, treatment under the law is any method or process to render such waste safer for transport where amenable for storage. If you take a railroad car full of hazardous liquid waste, and throw on a bag of lime and say this is now safer for transport, it's going to be taxed at a lower rate, it's going to be two cents, not three cents a gallon. And if you dispute it, well, we're going to go to court. What they have done it tried to shift the burden, and I don't think it should be done. The bill further deletes the five cent per gallon off-site tax and reduces it to three cents for off-site tax. We used to have the three cent on-site tax in this bill, that remains the same. So, this is three cents, three cents and a new category of two cents for another process. And what is this third process that's going to raise all this money for us and make this such a great bill? Well, what we are going to do in Illinois, Ladies and Gentlemen, for the first time is tax the recycling of waste. We're taking two steps backward here. Last year we said that we want to eliminate landfills, we're going to phase them out, and this bill does exactly the opposite. What this bill does is say that it's going to cost you two cents a gallon to recycle waste, three cents a gallon to put it in a landfill, and that's not what we want to do. We want to encourage recycling; we want to encourage incineration; we want to encourage alternative sources of waste disposal. What this bill does is the opposite. What it does is encourage

landfilling. And all the money that we raised by discouraging recycling, by discouraging incineration, we're going to have to spend a few years down the road. We're going to have to spend it to keep cleaning up the landfills that we're encouraging to be filled. And those who have Wilsonville in their district should know that we may have to open that up to take care of all the extra waste that's going to be dumped on land. And those at Sheffield should know we may have to create a new site, and the one in my district that we're trying to keep out, they're going to have to open that up to put more waste in, because there's going to be a lot of waste that has to be landfilled because it's going to be just as economical. And if an off-site landfilling company should happen to also be a waste treatment site, under the definition of this bill, they can receive the waste at the waste treatment site, use this so-called treatment method, whatever it may be to make it amenable for storage, which I assume would include eliminating maybe one percent water, or anything close to that, transfer it to their landfill where they won't pay a tax when it goes to the landfill. There's only one tax and that tax will be at two cents. So, in effect, what we have done here is come up with a Conference Committee report that totally reduces the amount of tax on landfilling, reduces the amount of tax that we're going to collect, and increases the burden on future generations. I think that this Conference Committee report should be defeated. It doesn't talk about what happens with residue from waste. Once you afford treatment, it cannot be taxed again. And that's an important concept if you consider that treatment is almost anything that can be done to the waste to change its form. Now, I've...I've talked to some of the people who support this bill, and they say, well, there may be litigation to determine what this bill means, but we're in litigation right now. We're in litigation to determine

whether the one cent per gallon applies to the deep well people. So, it doesn't really matter if we have more litigation because we've already had some. We'll solve it all in courts, but it's going to be four or five years down the road. It's going to cost us some fifty-seven million dollars to the taxpayers, both State and Federal, to cleanup the eleven or so sites that we have now in the State of Illinois. If this bill passes, there's going to be more sites added to that list and it's going to cost more to clean them up. The original bill that we had, five cents and three cents, was a good bill. It raised a lot of money. I think it will raise more money than this bill, although the analysis claims it's going to raise more money because of the new category of taxpayer. But don't forget, that tax is being shifted. And if...if we want to raise taxes...if we want to raise taxes on hospital waste which is mandated to be incinerated under the...under this Act, then perhaps this is a good bill. But don't forget who's going to pay that tax, it's going to be shifted onto the people in the hospitals. And those hospitals that we have to subsidize, it's going to be shifted onto us. So, what we have here is a six hundred thousand dollar subsidy for the off-site waste disposal people. And I would urge opposition to this Conference Committee Report No. 1.

PRESIDENT:

Alright. We have a number of members who have indicated their desire to speak on this. I would only suggest to them to try to curtail their remarks in the interest of fairness. Senator Savickas. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Thank you, Mr. President. Is the timer on?

PRESIDENT:

Yes.

SENATOR LECHOWICZ:

Good.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I signed that Conference Committee report because I think the Conference Committee report does two things. One, the amendments contained in this report make House Bill 1257 conform to the Federal superfund law, which is the Comprehensive Environmental Response Compensation and Liability Act. With these amendments, House Bill 1257 will give the State of Illinois the authority to cleanup the hazardous waste sites under its own superfund law. Two, it would cleanup...the cleanup of these sites will be paid for by fees collected from persons who dispose or treat hazardous waste. The fees are based upon the volume of disposed or treated hazardous wastes. This report modifies the fee structure that originally was contained in House Bill 1257, just modifies it. The original bill was five cents a gallon off-site, the new report says three cents a gallon off-site. The original bill was three cents a gallon on-site landfills with a ten thousand a year cap. This is the same, three cents a gallon on-site, ten thousand a year cap. Three cents a gallon on deep well disposal with two thousand a year cap, ten million gallons. This is two thousand a year cap with ten million gallons. What we're talking about is whether Senator Welch's personal stamp on the bill was approved or it wasn't. Not all of us are able, in this Legislature, to get exactly what we want. But we do have a bill, a bill...or I should say a Conference Committee...report that was signed off and approved by people in the Illinois Manufacturers' Association, the Illinois State Chamber of Commerce, Waste Management, deep...the Deep Wellers by Carol Dart, the Chemical Industrial Council, Standard, Shell. I guess everybody that is concerned to do some-

thing and get something started, not because of...in the last minute the Legislature say, well, the bill isn't perfect, it isn't what we really must have, we don't want to start anywhere. I say that if these people realize and recognize the needs of the State in this area, that we should be able to start somewhere. Maybe it isn't perfect. But just because your ego is a little piqued, you don't want to just kill everything and say, no, we're not going to do it this way unless I can get it done my way. I say, let's start somewhere, let's get these fees in, let's get the superfund started, and let's be about the business of cleaning up this hazardous waste.

PRESIDENT:

Further discussion? Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, I believe at this time most of our colleagues, including most of the people in industry and those that have an interest in the subject, feel that we now have this legislation in a decent shape, and one where we should be supporting it. I think probably a compromise was needed, that perhaps the five-cent fee on the off-site disposal had to be reduced, and that's what was done under the Conference Committee report. As has been pointed out, we are now bringing some new people into the act, people that are dealing in the subject of hazardous waste, some of those dealing with a substantial amount of hazardous waste that are causing, perhaps, many problems for some of their friends and neighbors that they are living with. I am familiar with one of these, it happens to be up in my own district. I know there has been a lot problems with that operation. So, I think it's only fitting and just that some of these people that are dealing in this product everyday, and, frankly, I think, making some very good money in this particular field, that they should expect to be paying something for the privi-

lege of...of engaging in this industry because, very frankly, they are a part of the overall problem that we're dealing with when we talk about disposing of hazardous waste. It's true that when we enact this two-cent per gallon tax it will approximately bring in about six hundred and sixty thousand new dollars to be used in the cleanup process. I think this is entirely justified, and I don't know, Mr. President, exactly what the procedure is now. I think it's rather interesting to note that the sponsor of the bill is suggesting that it's a bad idea to adopt the Conference report, but I think the other conferees simply do not agree with him; and I don't know what the proper motion is, but if you're looking for a motion, I would move that we would concur.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. You know, I think there's something really lost in the dialogue of this entire bill, and perhaps we...we might be able to clear it up by doing it with an example. Most of us...most of us have sewers in our home and we are attached to a sanitary district, and when we flush our toilets, we pay a fee. People think that this bill is helping those people who dispose rather than those people who create. The fact is, the charge is on the creator, not on the disposer. And what we've lost sight is here a battle between the disposers. We're trying to get some disposers, and in the process of getting the disposers, we're going to get the creators. The creators should be charged just as you are charged when you flush your toilet. Now, a new category of creator, toilet flusher, has been put into this bill, and those people are flushing their toilets like everybody else is. What's so objectionable about charging somebody who's creating waste. And by the way, Senator Welch, there are no incentives in this bill, because minimally, minimally, it's a

three hundred percent increase. And you're talking about protecting the little people; well, let me tell you, the little people are the people who don't have the resources to do it on-site. And if you think you're punishing waste management or any disposable, it's just like turning around and inflicting punishment on your own sanitary district, and then when you get your bill, your water bill, you're going to really find out who's paying for it.

PRESIDENT:

Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. I rise in support of Conference Committee Report No. 1 to House Bill 1257. This report has been endorsed and supported by the Illinois State Chamber of Commerce and the Illinois Manufacturers' Association. This bill provides basically the same contribution to the Hazardous Waste Fund as the original version of House Bill 1257 which passed this House last week. Additionally, this bill will impose a three hundred percent increase on fees paid by off-site commercial disposal facilities. It will also provide for a two cent per gallon fee on off-site treatment facilities. This last...provision, specifically agreed to by the State Chamber of Commerce and the Illinois Manufacturer's Association, reflects sound public policy. First, by taxing off-site treatment facilities but exempting on-site treatment facilities, Illinois will encourage industries to treat waste on their own premises and, accordingly, will help diminish the transport of hazardous waste on our highways. Secondly, by taxing off-site treatment at a lower rate than off-site disposal, Illinois is taking a major step towards significantly reducing the need for hazardous waste burial. Similar approaches are in effect in the states of Florida, New York, Kentucky, Maine and Tennessee. It is important to note that of the eleven sites

which Illinois has on the Federal superfund list, three of those sites are treatment or recycling facilities and...will require State and Federal monies for cleanup. Most recently in Chicago, millions of cyanide chips...which were supposed to be treated were found abandoned on the property of several bankrupt companies. Illinois ought to encourage treatment and recycling, and this bill does that. But these facilities can also contribute to environmental problems, and, therefore, they ought to share in the cost of funding the cleanup account. This report is sound public policy, it will fund the Hazardous Waste Fund and do so in a manner that Illinois business endorses.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I don't like what was done by the waste management lobbyists to this bill, and they've done it. The only thing is, we don't have any other vehicle to do some good to clean-up, and I'm going to be forced to support this bill even though I think it's really been warped out of fashion. But we have nothing else, Senator Welch, so, what can I do? It's better than nothing.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I just want to ask a question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Kelly.

SENATOR KELLY:

Can you tell me on incinerating liquid hazardous waste, what was the cost or the charge on the bill that we voted out of here as compared to what it is now?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

I believe there was no charge on incineration.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

You say there was no charge for the incineration of liquid hazardous waste previously, but now we're charging for it?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

That's correct.

PRESIDENT:

Senator Kelly.

SENATOR KELLY:

Ladies and Gentlemen, I...if that's the case, then I definitely will agree with Senator Welch, because the problem we have in this...the danger to the communities and to our constituents is with this liquid hazardous waste; and if we can't incinerate it and we know that if we're going to be charging to...incinerate liquid hazardous waste, they're not going to do it in many cases, and I think this is the principle issue in this bill. And if that...if that's in there, then I...I have to agree with Senator Welch.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, as I understand this situation, and I'm pretty sure that I don't understand the situation, and I doubt there are six people on the Floor of the Senate that clearly do; but the one thing that is clear to me, and this is what I guess will prompt me to vote

Aye, is that without this bill, a lot of people who handle waste aren't going to pay anything. With the bill, they'll be paying something. Whether they're paying their fair share or whether it's equitably distributed is, I guess, certainly a questionable thing. Obviously, we'll be back at this next year, but I propose to support it simply because I don't want to let these bandits get over for another year; and that may, in fact, be their game plan, which I think makes the Environmental Council's position a little fuzzy.

PRESIDENT:

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. We've talked about the Chamber of Commerce and waste management and the Manufacturers' Association and the big corporations, but let me ask you, just what about the environment? Who's talking about that? What we're doing here is creating a major, major policy shift. We have never done this before, we have always let the people that recycled and...and incinerated...that's what we've been trying to...to promote. We have been promoting that, but by imposing a fee on the treatment of these...on these treatment facilities, this will provide a disincentive to do that. So what do they do then? They take it to the landfills that all of us have been so upset about for all of these years. We have been working diligently toward a time when we do not put liquid hazardous waste or those...any liquid waste in the ground. Now, we're coming along and we're going to put a tax on the people that take care of that problem for us. This is a major, major policy shift, and I'd ask that this Conference Committee be denied.

PRESIDENT:

Further discussion? Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. Senator Schaffer asked where

the Illinois Environmental Council's position...is, and they have changed...Ken Mitchell has changed his position, he is now in opposition to the bill. Nobody's brought them into this picture, it's all been discussed, what the chamber wants, what the manufacturers want, what waste management want. And since Senator...Senator Savickas brought me into this as saying I was piqued because I didn't get what I want, I am interested to note that he is now the environmental spokesman here in the State Senate for the State of Illinois. It is...certainly a change from the past spokespersonship on his behalf. What we are doing on one side is talking about raising money. What I am talking about is setting policy. The seven states listed by one of the Senators in debate may charge some fees for other types of recycling, but none of those laws are the same as ours. None of them have the same definition of treatment. We can't compare those laws to ours because they're totally different. Illinois' law is totally separate and apart from those seven states. What we are doing here...this is the new policy of the State of Illinois. On the one hand we want to discourage landfilling, on the other hand we want to encourage recycling. Well, this bill is exactly the opposite. It's going to discourage and give a disincentive to recycling waste. It's going to discourage and give a disincentive to incinerating waste and eliminating it. What we are doing here is adopting a deal that's...that business wants because they're going to get off cheap, and they know they shouldn't be. And Senator DeAngelis is right,...

PRESIDENT:

Senator, would you conclude your remarks.

SENATOR WELCH:

...we are going to be back here year after year in an ever increasing battle, and I would urge opposition to this bill.

HB 1805
Conf. Comm. Report

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on House Bill 1257. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 Ayes, 9 Nays, 5 voting Present. The Senate does adopt the Conference Committee report on House Bill 1257 and the bill having received the required constitutional majority is declared passed, and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 1371, Senator Carroll. Is Senator Carroll on the Floor? 1805, Senator Keats. Is Senator Keats on the Floor? Senator Bruce. On the Order of Conference Committee Reports is a Conference Committee report on House Bill 1805. Senator Keats.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats is recognized for a motion on the first Conference Committee report on House Bill 1805.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move we do concur with the conference report...first conference report on House Bill 1805. I think everyone knows what this is, I'm sure not going to try and mumble this one through. I want to make sure everyone knows it is the transit reform package of 1983. We've been saying all along that the RTA will not get a subsidy until we get some kind of legitimate reform, this is a legitimate reform. Without this, many of us who believe that the transit system needs some help have no intention of helping. The way this system would work is that we have an oversight panel that is the basic RTA Board that would come back into effect after we had a transition board of five members who would help to clean up some of the initial problems we have had in the last

decade of mismanagement of the RTA. Then you would have the RTA Board back, I'd be more than happy to answer that in questions. Underneath, you have a Suburban Bus Board, a Commuter Rail Board and the CTA itself. The RTA Board would have legitimate oversight authority and the underboards would be the operating boards. We set up a...a sales tax allocation so we have funding distributions; we have specific ways to work with Federal funds and State subsidies; we set up revenue to cost ratios; we deal with the debt issue; set up a potential subsidy structure. There is a shortfall in the short-term, we financed that while we get a transit system that is bankrupt and poorly run back on its feet. There are various labor oversight provisions. It does allow for an opt-out, something collar county people have been asking for for a decade, an opt-out is in. Those are the basic structural issues involved. The key thing to think of for anyone who's within the region, it does call for a fare reduction on both commuter rail and the CTA, and this abolishes transfers on the CTA. More than that, I...I think there's a slight chance I might have two or three questions, so I won't take too long on the initial introduction, and would be more than happy to answer any questions anyone might have.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. I have Senators Kelly, DeAngelis, Grotberg, Watson, Bloom, Chew, Zito, and UPI has sought leave to film the proceedings. Is there leave? Leave is granted. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President. I've got a question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield.

SENATOR KELLY:

Senator, I'd like to ask you some questions about the

construction of this. What you're telling me then is that we now have two boards and that you are favoring a third board to be created which would be a suburban board?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Excuse me, no,...no, Senator. What it is, we keep basically the RTA Board as an oversight board and underneath it we have the same CTA Board, then you have a commuter rail and a suburban bus which are the real three entities under it. What we do is get the chief board out of being both the operator and the oversight. As you're aware, when you're operator and oversight at the same time, you tend to screw up one or the other.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly.

SENATOR KELLY:

Okay, let me ask you a question. What about the...the other board that you're talking about, the...the salary range on this newly created board, what is the salary range on it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

The salary range on the existing RTA Board would go to twenty-five thousand dollar a year salary which is what it is. The Suburban Bus Board would have no salary but five thousand dollars a year expenses. The Commuter Rail Board would have no salary but five thousand dollars worth of expenses, and...hang on just a second...CTA Board is no change.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly.

SENATOR KELLY:

Alright, I...I'm going to speak on a proposal. In this

legislation there is some problems with the negotiations of labor. In this proposal...I know on Page 125 you're going to permit part-time employees to be authorized...you're going to eliminate the cost of living increase, and you're also going to take away from any negotiating ability that you can have under this bill. I would hope that everyone, especially those that have any interest in supporting the working class, would be opposed to this proposal. I do not see where this is going to help the suburban people of Cook County. It's going to help the suburban people outside of Cook County. But once again, we're going to get put on the bottom, not on the top, and I would...urge you and encourage you very vigorously to oppose this Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. The improvement of this system is so self-evident that I...and I stand in support of this bill...that perhaps for those of you who are looking for reasons why not to vote for it, I'll give you some. If you're a downstater and you've never complained about the RTA, don't vote for the bill. If you're a collar county person who doesn't want to opt out or even consider about opting out, don't vote for the bill. If you're a suburban legislator and you're satisfied with paying seventy percent of the cost and getting thirty percent of the money, don't...vote for it either. If you have a friend on the current RTA Board, don't vote for the bill. If you have a few pals who've got jobs with the RTA, don't vote for the bill either. And if you don't want to see fares reduced, don't vote for the bill. But if you want to see an opportunity to do something with the subject that's been a sore point in this Legislature since I've been in it and way before that time, then vote for the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, Channel 2, Chicago; Channel 3, Champaign seeks leave to film the proceedings. Is there leave? Leave is granted. Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President and fellow members. Senate Bill 1805 is a landmark and watershed bill all in one. As one who never regretted having voted No on the original RTA creation in 1973, I feel rather qualified to be helpful in changing it; and for that reason, drew the assignment on our side of the aisle, along with Senator Keats, to try to make a reasonable change in the existing structure which we know has had its problems. My commuters from St. Charles, Geneva, Batavia area in the western suburbs are paying an unconscionable fare on the northwestern railroad with the surcharge that looks like it could have stayed in place for so long. The buses are hauling air because of our...county of origin assignment of...of the quarter-cent tax in the collar counties. And the inadequacies of the personnel structure of the whole system are legend. I'm not here to really debate them because they have been fought on this Floor and I'm sure the sponsor will allude to those under questioning. But the thing that has bothered me the most, Ladies and Gentlemen, is the RTA lobbyists has been down to try...have been several of them down to try to prevent the change. The CTA lobbyists have been working the Floor, the aisles and the offices like a fine-toothed comb, all in the gesture of job protection. And I feel that as a Republican County Chairman in Kane County that if anybody is going to hurt his friends, I would be one of them and would be reluctant to do so, but the patronage system is what is slowing this bill down because everybody is in fear that something will be done at the CTA level and at the RTA level, and under the new system, the bus lines. But it is up to this Body, the Senate and the House

of the State of Illinois, to take a forward step in this time and in this hour because the opportunity will never come again to start fresh. Good people will remain...good people will remain. The economies of scale and the economy where the...perpetual funding mechanism guarantees that it'll be four more years before this big issue would come down here again for any revision. And I just hope and pray that anyone, especially downstates and suburban Senators, can open up their minds to the reality of change. Help us, help us to start again with the RTA and vote Aye.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Yes, thank you, Mr. President. I...I'd like to ask the sponsor a...couple of questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Watson. I will remind the membership that we're going to use the clock today. It's yellow when you get about twenty-thirty seconds. We'll come to the end and we'll start calling it on that. Senator Watson.

SENATOR WATSON:

Thank you. You mentioned something about a debt issue. Is there a...a debt in here that they're going to forgive?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Is the RTA in debt? Is the Pope Catholic? Yes, we have to deal with the RTA debt.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Yeah, I'd appreciate...just answer the question. If I'm on a time limit, I don't need to have a lot of rhetoric from

you. Okay. We got...how much was it, you didn't say?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

There's a hundred million short-term; thirty some million they owe the State; twenty some million they owe...Chicago, but as you look at it, that's what they owe the taxpayers of the State.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Please answer the question. How much of the debt issue are we going to forgive?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Thirty-seven and thirty-three, I think. It's...it's a touch over sixty million. Thirty-seven is one; thirty-three, I think, is the other.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

I understand we're going to rollover another hundred million dollars to the next year.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Yes, we are not letting that debt go, it's being rolled over, it's being refinanced.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

What is the interest payment on that debt?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Principal and interest, about 3.5 million a month, but there has been some variance.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Yeah, I'll bet there has. What kind of a subsidy is the State going to provide now?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Under this bill, this would be an authorization that would allow seventy-five but does not appropriate anything.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Seventy-five what?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

(Machine cutoff)...five million.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Yeah, seventy-five million, that's what I thought. Well, this is obviously a bad vote for anybody from downstate, and I'll...Senator Buzbee is always referring to his...the fellow that ran against him in the last election and some of the tactics that they used. I'll guarantee that if anybody from downstate votes for this proposal, that this will definitely be a campaign issue. This has got to be a bad vote for anybody downstate to support it. I...I urge a No vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. In 1974 when the RTA was structured here in this Legislature, several members were defeated in the next election simply because they participated in it; namely, Bob Blair, the Speaker of the House. But he sacrificed his own seat in order to do what was fair. 1805 is a bill that was designed to totally push labor negotiations completely out, put them on the back burner and keep them there. They have eliminated...in this package; they are asking the unions to do the impossible, and that is to not have any power to negotiate. The union members have been down here all week long, we have met with several people. As of this moment, not one alteration has been made from the original plan of 1805. They did not intend to make any alterations. This is a bill that will whip people in line, this will totally eliminate the negotiating power of these unions. We talk about a fare reduction. Let me tell you what the fare reduction really amounts to. Our structure today is a ninety-cent fare and a transfer for a dime, which gives you the privilege of riding mass transit in the City of Chicago, namely the CTA, to wherever you want to go. When this new fare goes into effect, you pay fifty cents on the bus, and if you have to transfer to another bus, that's another fifty cents, and if you have to transfer to another bus, that's another fifty cents. So, the ride could easily cost you one dollar and fifty cents to go approximately ten blocks. The same thing applies on the elevated lines and the surface lines; that's seventy-five cents with no transfer. The transfer system is completely eliminated. We're lying about that fare box and the dollars that's stuffed in there, that's a joke. What...what this bill does is to give these agencies enormous fare collecting power simply through a nontransfer system. So, that's not good for poor or rich

riders. We talk about what we're doing for transportation. Yes, I sat in on the task force. Not one recommendation I made, not one, Mr. President, is included in this package. This is terrible; it's absolutely outrageous; we don't need it; we should not vote for it; we should send this back to the drawing board; come up with the kind of package that everybody can live with. I've gotten call after call after call out of Chicago asking...explanation of the fifty-cent fare. The fifty-cent fare is a collection of more money than we've ever paid for a ride in the City of Chicago. I agree with Doctor Watson, any downstater or upstater that vote for this bill is...giving the wrong vote. We know these kinds of things will be used as campaign issues but let that be. We should send this thing right back to Kramer and whoever put it together and have them to draw the kind of legislation that labor can live with, that the riders can live with. I don't have no friends on RTA or CTA, they're all of my friends and no enemies. I don't care who gets off of CTA or on CTA, that's not the issue. The issue is the structure of this legislation, Mr. President, and the appointing powers which I have no problems with. They may appoint whoever they want to, that is not the issue. The issue is to structure this legislation where everybody can live with it in peace and not to put something on the board temporarily, or next year we'll have to come back...or endure a strike in north-east Illinois. We don't need strikes, we need service. 1805 does not give us service, it gives all the leeway to stop transportation upstate. I would urge a No vote on 1805.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you, Senator Chew, for staying within the time limit. I have the following Senators who have sought recognition: Senators Zito, Bloom, Mahar, Geo-Karis, Friedland, D'Arco, Luft, Barkhausen and Berman and Degnan. Just...just so you know when you're going to speak. Senator

Zito.

END OF REEL

REEL #2

SENATOR ZITO:

Thank you, Mr. President and members. Here we go again on the RTA. There has been no other legislator more outspoken against the Regional Transportation Authority than I have. As a matter of fact, I serve in this General Assembly because I led the fight in my suburban Cook County neighborhoods against the RTA when they all but totally shut down bus service to my...constituency. I was instrumental in bringing about lawsuits against Mr. Lou Hill and each and every member of the RTA board for their irresponsibility, insensitivity to the actions they took in my communities. So I came to Springfield, Mr. President and members, by a two to one margin of vote to answer the problems of mass transportation for the people in my district. As a member of the House of Representatives last year, 1980 and '81 and '82, we had...we had long lengthy public hearings on the financing of the Regional Transportation Authority and their problems. And when I sat in that Chamber, I saw my colleagues on both...both sides of the aisle, Democrats and Republicans, introducing packages that were...purely political. They didn't deal with the problems of the RTA, they dealt with politics. And as I look at this package now of a hundred and thirty-three pages that was dropped on our desks just moments before the deadline on Thursday, I see it's another political move. I had an opportunity to read through some of the hundred and thirty-three pages and I noticed several things that...were interesting. We're going to now dismantle the RTA and create three...three separate boards. The board makeup for suburban legislators would be eleven members, eleven suburban mayors serving on the Suburban Transportation Board. There's a hundred and forty municipalities in subur-

ban Cook County alone. Does that mean that we're going to have to fight with eleven suburban mayors to get transportation? What if the mayors in my district aren't going to serve on the board? Who are we going to go to? Who's going to be responsible to us? The funding mechanism is all wrong to my colleagues and Senators from the suburban area. Out of a hundred percent funding that the suburban...under this proposal that the suburbs would get, thirty percent off the top automatically goes to the CTA. Why should the people in the suburbs continue to support the CTA under a new revised plan, Senator Keats? It doesn't seem to work. This is nothing more than another political football, it's a power grab for the RTA. And it's unfortunate, Mr. President, that once again the people of the suburban area will suffer. Politics will not solve the problems of mass transportation. Integrity and efficiency is going to solve those problems. Until we, as a Body, have an opportunity to fully study this issue intelligently, I cannot support this proposal. I would suggest that we study it and come back in the fall, and not look at a political solution but a solution that will serve all the people for the problems of mass transportation. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you, Senator Zito, for staying within our time limits. Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President, I wasn't going to seek the microphone but I can't resist. Senator Watson, I'll get you a transcript of one of the prior speaker's remarks, Senator Chew's remarks, and if that's...that's about as good a reason as any to vote for this measure. I think we've come a long way. Back when I was a freshman and young and afraid, we weren't allowed to...we weren't allowed to consider legislation affecting the RTA; and once, by accident, when one of

Senator Geo-Karis' predecessors managed to get RTA legislation out on this Floor, we took an afternoon while leadership went insane trying to kill it. And Senator Keats, I guess I can see the end of this, now we're allowed to bring legislation out that restructures RTA, and we'll now get to the final step in the process and then the rug gets tugged. It's unfortunate, but I would say that, as a downstater, this is a fairly easy vote to cast, and I see no reason why we cannot support this Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you, Senator Bloom for staying within our time limit. Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I voted for the RTA back in '74, because I believed in mass transit then and I believe in mass transit now. It's a necessary element for suburbia. And I've watched the operation of the RTA, and we've had many discussions here and many changes and I'm very, very frustrated. We have finally seen where the control of the...of the RTA has gone to suburban people and Republicans, which is, I think important. But I am told that even with the control that they have as of July 1st, the mechanism isn't there to function properly and do the things that we have to do. And as one who voted for the income tax, one of the reasons that I voted for it and one of the things that I want to see is some benefits for my district. And one of the benefits that's most important to the people of my district is a reduction in the fares. And I am told that if we support this measure, we're going to see a reduction in fares for the many, many people that ride to the city every day from my district. One of the things that makes me want to vote for this measure is the fact that two or three years ago, we were told that one of the problems of the cost of the CTA was part-time drivers. We were told that

there was a pledge and a promise that we'd go to part-time drivers. Chicago was the only mass transit district in the country that does not have part-time drivers. It seems to me the time has come when some of these economies must be effected. And while I do have friends in the present CTA, while I know they are good people and they're people that have been working diligently but have not had the power and I regret the fact that they're probably going to lose their jobs, I think it's more important that the people of our district...our districts in the metropolitan area are properly served, and after all these years it's about time we got in the business of correcting the problems of the RTA and I urge your support.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you, Senator Mahar, for staying within our time limit. Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I've agonized on this bill. I was one of the votes against the RTA because there was a...a maze of discrimination against the collar counties. However, last year I co-sponsored a bill, Senate Bill 125 with Senator Sangmeister, which would divide these...the RTA situation and to the Suburban Bus Board and the CTA separate and a railboard separate, similar bill. I might say, I'm not too happy with this bill, but it is an improvement and I know there will be a transition board that should cleanup the mess and...and has about eighteen months to do it. I've agonized and agonized and I hope that it will be a help, at least we can try it. I might say, and I'm saying this to the Governor, since he will have the choice of appointing the first chairman on the...transition board, I hope it will not be John Kramer, I've had enough of him with his tax proposals and I think the people of Illinois have had enough of him. Let's hope it

will be a step in the right direction if we support this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you, Senator, for staying within our guidelines. Senator Friedland.

SENATOR FRIEDLAND:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Keats, question. Senator Friedland.

SENATOR FRIEDLAND:

Thank you. Senator, I understand that the legislation as you propose would permit the CTA chairman to serve on the RT board, is that correct?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

That is correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Friedland.

SENATOR FRIEDLAND:

How does that enhance suburban or non-Chicago control of the board?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

They're actually unrelated. As you know, the City of Chicago has a certain number of appointments on the RTA board and it's mandated the chairman of the CTA be one of those Chicago members. So it's not a suburban seat, it's a Chicago seat.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Friedland.

SENATOR FRIEDLAND:

Oh, so he would receive a salary from the CTA, probably what, twenty-five thousand and be also a salary from the RTA, too?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

No double dipping, no RTA salary.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Friedland.

SENATOR FRIEDLAND:

Oh, thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you, Senator Friedland, for staying within our time guideline. Senator D'Arco.

SENATOR D'ARCO:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator D'Arco.

SENATOR D'ARCO:

Who will appoint the chairman of the interim board?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

The chairman is appointed by the Governor, and the other four members by the four legislative leaders.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

When does that board expire?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

By, let's see, 1 October, 1984, at the latest. Wait a

minute, October 30th.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

When that board expires, who makes the appointments to the new board?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

The same basic process we have used today by the Mayor of Chicago, suburban Cook County board members, the other suburban...board...or, you know, county board presidents. The initial chairman is appointed by the Governor; after that, we go back to the internal appointment of a chairman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Well, what happens if the Governor decides that the interim board is working out fine, he likes the way...the job they're doing and he decides he's not going to make the appointment to the permanent board?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Irrelevant. The..the short-term board is gone at a set date, period; and if he doesn't appoint the chairman, it doesn't matter, you still have a quorum and they can conduct business without the Governor's appointing the chairman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Who appoints the chairman of the permanent board?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

The first chairman is appointed by the Governor. After the first chairman, we go back to the old method which would be the chairman is selected internally by an extraordinary majority.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco.

SENATOR D'ARCO:

Who appoints the executive director of the RTA board?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Executive director is appointed by the chairman with the approval of the board.

PRESIDING OFFICER:

Senator D'Arco.

SENATOR D'ARCO:

So, as I understand this, the Governor appoints the interim chairman, he appoints the new chairman to the permanent board, and the new chairman to the permanent board appoints Kramer to be the executive director. Is that the way it goes?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

I might offer a hint. The Senate has advice and consent on the chairman. Now, if someone were on the Executive Appointments Committee, they might ask the executive...or the Executive Appointments Committee members might ask he...he or she who wishes to be chairman who their selection might be. We certainly have the ability to influence that choice.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator D'Arco.

SENATOR D'ARCO:

Mr. President, I rise in strong opposition to this bill. The problem with the bill, appears to me, is that the Governor is obviously putting his...the cloak of his office over this board. This board, as of yesterday, became controlled by the Republican majority. Now, why in God's name they would relinquish that control at this point in time and let the Governor ramrod something through the Legislature to benefit his appointees, I really don't understand, but if that's what they want to do, so be it. This reconstitution is bad for the CTA, because the CTA is going to have a deficit of at least a hundred million dollars. And there's no way that we can make up that deficit under this reconstituted board. The labor restrictions in this bill are horrendous; in fact, they fly in the face of railroad contracts which are negotiated on a national level. You can't prohibit part-time employees from being employed on railroad commuter lines...on a national level. Cost of living increases are prohibited under this bill, so that flies in the face of every good collective bargaining arrangement within the municipalities and...in the private sector as well. This bill is the Governor's bill, let's make no mistake about that. He's been trying to ramrod this bill through the Legislature for the past week. We all know Director Kramer has been floating around. Pretty soon, someone said he's going to be asphaltting the aisles in the Senate if you want. Well, Ladies and Gentlemen, I don't think any of us want that. We want a balanced board. We don't want a board where the Governor is going to tell everybody what to do and pick all the appointments on the board. It just isn't right and it just isn't fair.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you, Senator D'Arco, for staying within our time guidelines. Senator Luft.

SENATOR LUFT:

Question of the sponsor, please.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Luft.

SENATOR LUFT:

We're talking...I'm...has this ever been held in committee? Have there ever been any hearings on this bill as it is now? I mean, I'm a freshman here, so have there been any hearings on this at all?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

There were House-Senate task force appointed by the leadership, ran well over a month. In terms of specific committee hearings, no.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

Another question, please. Then all I have to go on is the analysis that is presented to me and I have some questions on that. It says in our analysis that anyone who has consistently failed to meet budget and cash flow commitments and doesn't have a budget that is balanced, they can eliminate this board, whatever it is, the oversight committee, all revenues going to those subsidies out here. Is that right? I'm the oversight board and I'm seeing by my analysis here and if I'm looking at anyone of these other areas out here, that I can stop grants going to these subsidies or these people out here or these boards if they don't have a balanced budget and I don't think they're doing what's right. Is that correct? That's what my analysis says, I'm just wanting to ask you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Not totally accurate, but partially. There is an ability to cut off State portion of a subsidy. The board has the right to operate but that is what financial oversight is; if they don't do something right somehow you got to, you know, grab them.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

I agree with you, that brings up my second question. It says here when we're talking about funding, the fifteen percent will take off the top for the sales tax? You later say that no matter what, those funds may not be cut off whether they have a balanced budget or not, those funds go no matter what. Why are differentiating? Why are you saying that some funds can be and some funds can't?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

I appreciate what you're asking. It's a...it's a very good technical question, let me explain it. The sales tax money cannot be cut off; it's the subsidy money, State subsidy, that can. The fifteen percent, in order to be allocated and it will be allocated, takes a super majority of the board. So that if one carrier is having a specific problem, it has to be consensus agreement of at least nine members of the board where the portions of this fifteen percent are going. So what you're saying, it's a good question but we deal exactly with that. That fifteen percent is carefully allocated with a super majority; it is allowed to go within the regions; this subsidy money continues to flow because it's local money. It is the State subsidy which is partially local that is...that what can be cut off to give you the grab.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

One more quick question. Wasn't there any possible way of creating a board other than eleven members out of...that were mayors out of a hundred and some municipalities that have mayors? I mean, parochialism is alive and I...I can't believe that we're not going to be coming back...I would like to see this thing gone, like you, I don't ever want to deal with it again. But I don't see...I think we're going to be coming back here wanting to restructure that what we're talking about every year.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Keats.

SENATOR KEATS:

Okay, in...in answer to your question and I...I know why the eleven...it first sounded odd, we were going to cut it to less. What happened is, there are eleven CATS Council. CATS, Chicago Area Transportation Study, a conduit for Federal funds, there are eleven CATS regions of mayors, they're existing entities. We are using this...these existing groups where you already have the organization working together where they already have those channels to deal with each other, that's where the eleven comes from, it's not a number out of the air, it's based upon existing CATS areas.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

One further question, please. I'd like to elaborate on what Senator Watson said, and I would like to put it in the form of a question. I would like to know why you, the sponsor, and the people who support this bill are denying the schools in my district, those people who need various types of aids in my district, the 34.6 million dollars that's owed to the State of Illinois?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Senator Luft, were it up to me, I'd get every penny back, but sometimes you have to work out a compromise and, unfortunately, that was not an issue we could win on. I do not disagree with you; if it were up to me, I'd get every penny back.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft, your time is nearly expired. Senator Luft. All right. Thank you, Senator Luft, for staying within our time guidelines. Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I'd first like to clear up a misunderstanding that seems to be circulating that this bill is totally unfair to language..it has totally unfair language towards labor. And I would like to direct your attention to page 125 of the bill dealing with labor arrangements for CTA employees. This language is also in...parallel language is also in the sections dealing with the commuters.

PRESIDING OFFICER: (SENATOR BRUCE)

All right...may...Senator Barkhausen, excuse me. May we have some order, please. There's a large caucus starting to develop back here, if we can take that off the Floor we can conduct our business. Senator Barkhausen, the Chair will give you additional time. Senator Barkhausen.

SENATOR BARKHAUSEN:

The language under the CTA section is...is contained in parallel language under the commuter rail and suburban bus sections. In any case, it provides that employers shall be required to bargain collectively with regard to policy matters directly affecting wages, hours, and terms and conditions of employment, as well as the impact thereon...upon request by employee representatives. And further provides

that employer shall be required to bargain collectively with regard to any matter concerning wages, hours or conditions of employment about which they have bargained prior to the effective date of this Amendatory Act; the one exception being the cost of living increase adjustment clause that has been mentioned. I think this is a reasonable compromise. Senator Chew talked earlier about the need to strike a balance between the needs of labor, the riders and the taxpayers; and it ought to be understood, of course, and it's obvious that there are built-in conflicts here. The more you give to labor, the higher the fares, the more that comes out of the pocketbooks of the taxpayers. The...the lower the fares, the...the better deal for the riders, of course, and the better deal for...for taxpayers, and this is a reasonable compromise, a lot of work has gone in on this. One other misunderstanding that ought to be cleared up, Senator Zito suggested that it's a bad deal that thirty percent of the sales tax money collected in Cook...suburban Cook County under this bill will be going to the CTA. Well, it can now be documented that of the...of the existing sales tax collected in suburban Cook County, seventy percent of that amount is going to the CTA. So if suburban Cook County doesn't get an improved deal out of this bill, I don't know who does; and I certainly wouldn't want to be a...a legislator from suburban Cook County having the amount of money collected in suburban Cook County going down from seventy percent to thirty percent under the terms of this bill and vote against it, that would be the biggest political mistake that anybody could make. Furthermore, it ought to be said, by someone who has been pushing for transit reform for a long time, the Governor has said and those of us on our side of the aisle have constantly said, there will be not one more cent for mass transit without reform. And if those of you who are pushing for this bill today think that you're going

to get a better deal when the system grinds to a halt, I would point you to the experience of Massachusetts a couple of years ago where the system ground to a total halt and the labor people at that point came in on their knees and...and said, tell us what conditions you will impose on us for more dollars and that's what happened. And that will be the experience in Illinois, I'm warning you, if we don't pass this bill today. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate, I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Coffey.

SENATOR COFFEY:

As I understand, Senator Keats, only last year or whenever it was we made some changes and as I understood you told me that the suburban collar counties didn't have control of the RTA and that that's what the problem was there and we made steps in that direction to pick up another member on that board, and as I understand, yesterday, the suburban collar counties in fact, did take control of that...RTA. Is that true?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Senator Coffey, in numerical numbers the suburbanites have control but because of the super majority needed, there is no control; and the person who went on yesterday is a constituent and neighbor and close personal friend of mine, so I...I have had to explain this occasionally.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Senator, also if you could state to me exactly the...the total dollars that we're going to be forgiving under this piece of legislation. I've heard different dollar figures, and could you give me exactly how many dollars will be forgiven of the RTA or CTA under this bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats. May we have some order, please. Senator Keats.

SENATOR KEATS:

The...the RTA owes us thirty-five million that we are forgiving. The rest of the forgiveness is not necessarily State, there are things within the RTA, CTA, Chicago debts, whatever, so there is forgiveness that really does not deal with us and even that hundred million note, the rollover is only sixty to sixty-five million, the rest is paid down. So in terms of forgiveness...of debt, it's thirty-five million of the State, they've owed it to us for about ten years and never paid a dime on it. So, it's that thirty-five million, to put it mildly, has depreciated a little.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. On the bill, as...as a downstater that as I recall only a few short months ago we did work to try to get control for the suburban and collar county areas that they could control what I think is a bad situation with the RTA, and I know it's been very costly and this forgiveness we're about to forgive today is not the first time we forgive...forgiven the CTA or the RTA for monies owed and monies that belong to us downstate. And we're about to make that move again, we're going to...as has already been stated by one of my other downstate colleagues, forgive money that we could certainly use and

maybe would have helped us to keep from raising the taxes to the degree that we just did; and now, here we are again coming right back after a tax increase, saying to the city and the suburban and collar county areas, wherever this debt lies, that we're going to forgive them for this thirty-three million plus delayment on payments of other monies that they owe the State. When we did this a few years ago, it was said that this will be forgiven at some point and I guess here we are about to do that; and as a downstater, and how any downstater can support the forgiveness of these dollars again, it's...it's beyond my imagination. And I think that with the seven members that we did, yesterday, get control of that RTA, I would hope...and I was told last year that if we could just do that, everything would be in good shape and that we could in the suburban collar counties control what's happening up there and we could get the spending under control. I think we ought to give them an opportunity to do that; if that doesn't work, then we can come back and attempt a bill such as what's before us. The forgiveness I'm against and I think we ought to oppose the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Thank you, Mr. President. Will the sponsor for a couple of brief questions?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats, might I have your attention for...question, Senator Keats. Senator Jones.

SENATOR JONES:

Under the current arrangement under the present bill, not...not...not 1805, the union negotiated directly with CTA?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

What is that arrangement under this legislation? What is the...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

No...no change, still direct negotiations.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Isn't it a fact that under this legislation that the entire board would be the...would...would have the final say-so as to any labor negotiations?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

No, the way it works would be, they have final oversight on the bottom line budget. The CTA board could decide to give ninety-nine percent of all available funds in collective bargaining then they would have one percent for everything else. The oversight is not on the contract, the oversight is on the bottom line budget only.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Well, with the oversight, how many...how many members on the board are appointed by the mayor of the City of Chicago?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Five, same as today.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

And that's five out of thirteen, am I correct?

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Keats.

SENATOR KEATS:

Excuse me, I...I didn't hear the question.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

That five is out of a total of what? Thirteen?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Keats.

SENATOR KEATS:

Twelve members, one chairman for thirteen. Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones.

SENATOR JONES:

Well,...addressing the Conference Committee report, as I read it and understand it, it seems unreasonable to me to have the contract negotiations, because that's what...we'll...boil down to, be decided for the Chicago Transit Union by a board that is not really...representing the city and the majority. What we have here is a cleverly designed scheme to perpetuate a strike, more or less, by those employees who...who work for the CTA in the City of Chicago. I cannot conceivably see those legislators from Chicago signing a Conference Committee report and at the same time claim they are strong supporters of labor and agree to this piece of legislation. It seems to me that these individuals want chaos in the City of Chicago. Who they want to embarrass, I don't know, but their interest is not in the people of the City of Chicago, it's more or less a

self-serving interest because if they are true labor representatives as...as they claim they have, they would have never agreed to a Conference Committee report of this nature. Coming later on this summer or sometime this fall, I can see the Chicago Transit Union being totally disgusted and disrupting the entire transit system in the City of Chicago. And from my colleagues from the City of Chicago who put their name on this Conference Committee report are part of the scheme in trying to create chaos in the City of Chicago as it relate to transit. And this bill should receive a resounding defeat by all members of...of this Body.

PRESIDING OFFICER: (SENATOR BRUCE)

Thank you, Senator Jones, for staying within our time guidelines. Senator Lemke.

SENATOR LENKE:

I move the previous question.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Senator...there's only three more Senators. Senator Collins. All right. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As one who has, since the inception of the original RTA, been vehemently opposed and one who remembers that we tried in the initial passing of this Act to put on sixty-seven amendments that were summarily defeated, there was only one that was passed ten years ago and that was Senator Geo-Karis' amendment that it was agreed that the monies collected in an area would go back to that area and that never really happened either. I think that we have an opportunity, and I don't care which party has control of the RTA at this point, I think that this is the best overall plan that...could possibly have been developed and I wanted to be a part of it but was not able to be; and yet, from a personal viewpoint, I really, after studying this for the last forty-

eight hours, I find that it has everything in it that I would have asked to have had. It is a good compromise, I believe, and I think it is fair for both the city and the suburbs. I think it is time...we have had people get up here and say that...nit-pick about what's wrong with this new version of the RTA. I say that it takes care of the cost effective measures that we have had to have. It takes care of some restrictions of labor that are absolutely necessary for the continuing of a reasonable RTA, or we will be back here forgiving millions and millions of dollars for year after year after year. This is a good piece of legislation and I say to my suburban members of this side of the aisle, who have been talked to by our political party because we now have control of the RTA and probably will have in the future, I want the very best mechanism for the very best transportation system that we can have in the five collar county and Cook County. We need mass transportation and I feel that this bill will take care of giving us a flying start to a better system to serve all of the people, both of Chicago, the suburban areas and the counter...collar counties, much better than we have been able to serve them under the monster that was created ten years ago, and I urge your support for this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Talking to the bill, 1805. It seems that, you know, many of the bills we have here, oh, they have both good and bad in them, this really seems replete and loaded with bad. I'd just like to talk about two points, and they have been mentioned and I'm sorry to repeat it but I think it's important enough to repeat, that's the forgiveness of these debts that we're talking about. There's a thirty-five million dollar debt that we are just wiping out. There also is a nebulous debt of another thirty million

dollars, and I have been attempting to try to find out what that thirty million dollars is, I have not quite gotten a full answer. But...in some way there's involved a twenty million dollar debt that the CTA owes the City of Chicago, twenty million dollars. Now that's going to be forgiven in this arrangement. There's also a thirty-three million dollar debt that the CTA owes the Chicago Pension Fund for the bus drivers. Now, we are going to sit here and vote to take away thirty-three million dollars from the Pension Fund for those Chicago bus drivers. I think if they knew that, they'd be on their way down here in all their buses. I don't think we should sit here and be a party to any arrangement like that. You know, most of us...oh, when...when a bill on commissions comes up, and there's another one coming up, I have one, everybody chuckles and laughs and we get real holy...holy, holy, holy. We eliminate and are real proud of ourselves for the elimination of a fifteen thousand or a twenty thousand dollar commission. We'll let's be real holy...and let's...let's eliminate those commissions if you want to, but then turn around and give away what amounts to, about as far as my total, a hundred and thirty-nine million dollars, I think we ought to all join hands and...and laugh together on that one. I ask for a No vote on this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. First of all, I'd like to thank the President for allowing debate on this matter. As you know, when this was considered in the House just two evenings ago, it was called approximately at quarter to twelve, there was no debate, roll call was taken and that was it. This bill really started in darkness, it should end in darkness. This bill is the product of three people, we all know who they are and what you

want to do. You want to actually create three additional or two additional boards. Initially, when this concept was before us in its drafting stages, there was compensation for all the board members. Due to the feelings of the General Assembly, that was removed temporarily...temporarily, I might point out. As far as the appointed procedures, they've been adequately discussed. But let's take a look one step forward if this bill would come into law. Here you would have three vying agencies for the same Federal dollars. Who would make the allocation for the CTA? Who would make the allocation for the suburban trains? And yes, who would make the allocation for the suburban buses? The original concept of the RTA, and it was done by a referendum, mind you,...was said, you'd have one coordinating agency. Now you're tripling the cost to the riding public and in turn making a division on the allocation of Federal funds. This is a bad concept, it should be soundly defeated.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President, not to belabor...I apologize, but I think I should be given the courtesy because I very rarely speak a second time. I might just inform the people who...are very much in favor of the labor and worrying about them, why worry about them, we...passed a collective bargaining bill with the right to strike for public employees, they'll take care of it. And by the way, the ones who signed the conference report are great labor people, John Cullerton, Mike Madigan, and Douglas...and Jim McPike.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew, for a second time.

SENATOR CHEW:

And if you will notice very carefully, Senator Chew is labor also but he did not sign this report because the report

is ludicrous.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It's been said, I suppose, many times in this Chamber and the one across the hall that we all like to vote with our friends; some of my friends are opposed and some are in favor and some are, frankly, ducking the issue. Since 1974, we have heard time and time and time and time again almost ad nauseam that counties want to opt out, that we cannot sustain public transportation in terms of a subsidy without reform. No reform, no subsidy, even though everybody admits, everybody admits, that a subsidy is absolutely essential. As a matter of fact, there is a provision in our Illinois Constitution that suggests very strongly that public transportation is an essential public purpose for which public monies can and should be spent, nobody denies that. But it's been said in no uncertain terms that absent some reform there is simply not going to be any subsidy. House Bill 1805, the first Conference Committee report is that reform and it is something that people have been crying about and demagoguing about for...since 1974. And I might point out to Senator Lechowicz that the RTA Board as reconstituted is still the coordinating agency; is still the applicant for the Federal money, and the other two service boards do not receive any salary so there is no increase in cost with the sole exception of possibly expenses for the suburban mayors and the other suburbanites who will be in a position to assure the suburban residents of essential commuter train and bus service. Well, let me find out where all the friends are; we have the incumbent board members, all of whom if 1805 is approved no longer have a job; so, obviously they're concerned, because there is no assurance that they or any other

board member will be reappointed, although the appointing authorities remain the same with the sole exception that the Governor appoints the chairman, so the chairman is vitally interested, obviously, because he's out of a job. And the suburban board members are vitally interested because their appointees may not be reappointed. And the collar county people are very interested because their appointees may not be reappointed. And the suburban Cook County commissioners are really excited because for awhile there, there were a couple of drafts that took the appointing authority away from them and they really got intense. And so they're suggesting that 1805 isn't quite right. And the Mayor of Chicago apparently is less than pleased, because as Senator Jones alluded, somehow the balance of power has shifted from the City of Chicago. Well, let me tell you something, as of July 1, as of yesterday, the City of Chicago and the mayor lost one appointment pursuant to reapportionment. When we passed the bill in '74, we said after the next reapportionment you have to realign and shift the balance. Well, it shifted, as of yesterday. So the Mayor of Chicago has five appointments now to the board and under 1805 will have five appointments to the board. The unions are upset, understandably upset, because one of the calls for reform coming from that side of the aisle has been since 1974 that we ought not provide in a collective bargaining agreement for a cost of living adjustment; and if we're to subsidize, we want that out of there. 1805 addresses that question. And if we're to have a subsidy, we want a provision for part-time drivers and 1805 addresses that provision. And I can suggest to you that we're a long way from what was originally demanded by those who ostensibly are antiunion, we're a long way from that, but there are some concessions, unquestionably. And philosophically, we ought to be concerned with the fact that we are addressing by legislation matters that properly belong

on the bargaining table, not in a Statute, so that's a compromise on our part. We are saying, if that's truly the element of the reform you're looking for, we will address that and it has been addressed in 1805. For this reason, that what in the world happens to the union and its members in the event of a shutdown, they're out of a job, and I don't care, frankly, how good their agreement is or how bad their agreement is, if there's no work there's no pay, it's that simple. No subsidy without reform. We have provided for a fare box ratio so that there has to be some equation between the operating cost and the fares that are charged to the riders, we've provided an opt-out provision for those counties that really don't want to participate. We have set up a new board, we have set up two service boards to take care of the suburban mayors and the collar county people so that they will be properly represented with respect to the operation of the commuter rails and the suburban bus companies. Then we have the State, and we have a lot of friends in the State. The Governor of this State said, unquestionably, that an operating subsidy is absolutely essential for northeastern Illinois. And the Republican leadership has said, unquestionably, an operating subsidy is essential because, for instance, we have to get rid of, we should get rid of, and everybody admits we should get rid of the surtax that's now being charged to those who ride the commuter rails, they're paying much, much, too much and everybody admits that. How do you remedy that? You remedy that with a State subsidy where the people of this State recognize the fact that there are one million people a day in northeastern Illinois who have to go to work and they have to use public transportation, and public transportation has to be accessible and affordable; and absent a State subsidy, it's simply not going to be there. So, now we got friends on all sides, we got friends on the board; got friends in the State; got friends

in the union, and in the whole equation nobody, nobody, is speaking for the poor beleaguered rider, one million riders a day on this system, and who's carrying the water for them? Apparently not the Mayor of Chicago; apparently not the unions; certainly not the board members, somebody here ought to speak for the rider, because there is no one here, even amongst all those friends, who will say that a subsidy is not necessary if this system is to avoid a shutdown or if the people are going to be subjected to severe service cut backs or severe fare increases. The fact of the matter is that the Regional Transportation Authority today has a deficit of one hundred and fifty-eight billion dollars. This bill will provide, if passed, a subsidy in the amount of seventy-five million dollars for the first year and it will go up. And to turn it down for some pique or some reason other than an absolute recognition of the fact that we don't want to help the riders in northeastern Illinois. Now I can understand the school people, they want to vote No so that seventy-five million turns up elsewhere, perhaps in the School Aid Formula, perhaps in the categorical grants, perhaps somewhere else in the budget. There's a movement afoot right now in the House of Representatives to veto out or to call for the Governor to veto out that seventy-five million dollars that's in the DOT budget allocated for mass transportation. And I suggest to all of you, don't hide behind the fact that you're concerned about the union, you're concerned about the board members, you're concerned about what the Governor and the Republican leaders are saying. Concern yourself with one million people a day who ride this system, they're entitled to an operating subsidy and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Keats may close.

SENATOR KEATS:

How many votes will it take?

PRESIDING OFFICER: (SENATOR BRUCE)

The Secretary informs me there is an immediate effective date and it will require thirty-six votes. Senator Keats.

SENATOR KEATS:

I conclude briefly by saying, Senator Rock, you've stolen my notes, but there are three or four points I just want to conclude with. Anyone who says this bill has not been said in the open, the CATS councils, the mayors have been meeting over two years; the Chicago Association of Commerce and Industry has had programs over two years; we have met and discussed these bills for several years now. No bill has ever had, down here in my seven years, more input than this bill. As you look at today, the guys who are in are lobbying to keep the guys who are out, out. That may be good for them but, you know what, it's the riders who are paying for it; and just because someone who presently is getting a twenty-five thousand dollar a year carry-him-along says that he wants to keep his job and the heck with your riders and your taxpayers, that is certainly his decision, but I don't think we should necessarily be honoring it. There are legitimate philosophic differences; if you're philosophically opposed to the bill that's one thing but don't tell me you've got political problems. You're not down here...you're not elected to be reelected, you're elected to take care of your people who happen to be the riders of this transit system if you're from this area. So I close and as we say, the management right side...for anyone who voted for 536 it's the same management rights, don't tell me they're too strong, you voted for them. You said they were perfectly adequate. Everyone has contributed to this, the State has contributed, Chicago has contributed, labor and management are contributing; we've all said we've got to do something, this bill has had years of input, now either put up or shut up. Either vote to reform it and help it, or I don't want to hear any words from the

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ones who vote No about how to do it because you've had your input and you've had time. Now we, people who use this transit system, solicit the assistance that I think it deserves because we are now providing the reform that we have always demanded.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 1805. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? (Machine cutoff)...all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 25, the Nays are 29, Senator Keats.

SENATOR KEATS:

I do...I do not solicit another Conference Committee report, I solicit postponed consideration for this legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

Sponsor asks that further consideration of the motion be postponed...be placed on the Order of Postponed Consideration. For what purpose does Senator DeAngelis arise?

SENATOR DeANGELIS:

Just on a note of personal privilege. I would commend all those people who put in many, many hours of work on this, Senator Grotberg, Senator Keats, many of the House members, those people that worked previously. And I also want to say that in...in my years in the Senate, I stand real proud to hear the eloquence of a speech that I think is the most eloquent I've ever heard on Senator Rock's part. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

House Bill 1812, Senator Degnan. Senator Degnan is recognized for a motion on the first Conference Committee report on House Bill 1812.

SENATOR DEGNAN:

Thank you, Mr. President. House Bill 1812's Conference Committee Report No. 1 was talked to yesterday. I think Senator Bloom had some problems with it, those problems have been ironed out. The bill provides a research library in the State Board of Elections here in Springfield. If there are any questions...

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Senator Degnan.

SENATOR DEGNAN:

...absent any questions, I would move for the adoption of Conference Committee No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Fawell.

SENATOR FAWELL:

As I remember this...Mr. President, will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Fawell.

SENATOR FAWELL:

As I remember this bill, the problem was that there was going to have to be a list of every precinct. Could you tell me how that was resolved?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

There still will be required poll lists be sent to the State Board of Elections in even numbered years for every precinct throughout the State; abstracts of the votes in those precincts, even numbered years and of course existing maps on all precincts.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Further discussion? Further discussion? The question is, shall the Senate adopt the first Conference Committee report on House Bill 1812. Those in favor vote

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Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to House Bill 1812 and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 1838, Senator Egan. Senator Egan is recognized for a motion on a first Conference Committee report.

SENATOR EGAN:

Thank you...thank you, Mr. President and members of the Senate. I have filed a...the most recent Conference Committee report. In the event that you have the old one, disregard it because the bill...or the Conference Committee report now shapes the bill exactly as it was when it left the Senate with a 54 Aye vote. The House...did not recede and they asked for the Conference Committee, and it was decided after two reports were signed that, in its final shape now, it is as it left the Senate with 54 Aye votes. And I'd...answer any questions but if there are none, I'd ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you...thank you, Mr. President and Ladies and Gentlemen of the Senate. I just want to...repeat what Senator Egan has said for the benefit of those people on this side of the aisle. The Conference Committee analysis that you have in your hands is incorrect, the Section 1 has been entirely deleted and I would ask for your favorable support.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report to House Bill 1838. Those in favor vote Aye. Those opposed vote Nay.

The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to House Bill 1838 and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. For what purpose does Senator Etheredge arise? Oh, all right, very good. House Bill 1864, Senator Savickas. Senator Savickas is recognized on the second Conference Committee report on House Bill 1864.

SENATOR SAVICKAS:

It's the first.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, it is the second report, I think the Calendar is correct.

SENATOR SAVICKAS:

Well, all right, maybe I'm...I'm mistaken. Mr. President and members of the Senate, I move that we do adopt the second Conference Committee report to House Bill 1864. It does two things; one, it increases the amount of members that are appointed to serve as property tax...on the Property Tax Appeal Board from three to five, and it provides for staggered terms. There are approximately five thousand cases that have to be heard; there are three members; the workload has increased. They have a...a very difficult time in hearing these cases and making their adjudications. I would move that we adopt this report.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and members of the Senate. This almost caught me by surprise. I'm somewhat familiar with this...with this board, it's a three-member

board. And, Senator Savickas, I guess my concern at this point is...let me...question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Maitland.

SENATOR MAITLAND:

Senator Savickas, give me some indication of; number one, what the salaries are for the three gentlemen now on that board; and number two, the number of days that they work per week.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas.

SENATOR SAVICKAS:

Well, Senator Maitland, I'm informed they make between twenty-four to twenty-seven thousand dollars and they meet bimonthly.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Senator Savickas, you say they meet bimonthly. You mean one, one day, every two months?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas.

SENATOR SAVICKAS:

They are beginning to meet about two days every week now.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Well, you...you are exactly right and that's the point I'm trying to make. The board has more than enough work to do and the board probably needs to have two more people. My problem is and...and I've discussed this with the Department of...Revenue, Director Johnson and others. We need some teeth someplace for the board members to do their job, work five days a week, earn their salary. Because it is correct,

there are backlogs and...and it...it's a joke...it...it's a sham and I'm not sure this addresses the problem. I...I guess I'm in support of what you're trying to do but all we're doing now is creating a...another fifty thousand dollars of expenditures, two more board members, and...not going to accomplish anything more.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

END OF REEL

REEL #3

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. My remarks are not directed against Senator Savickas, because, frankly, Senator Savickas, I had a bill similar to the one you had just yesterday. The Governor wanted to increase the number of judges on the court of claims and I carried it; and after I carried it and got to thinking about it...sitting around here for the last twenty-four hours, every other bill is a bill the Governor wants to increase some board or some commission or add more salaries. I think we ought to take a good look at this. He wanted a 1.6 billion dollar tax package, we finally ended up with this compromise and we gave him half of that. He says it's not enough money, but all of a sudden, before we even figured out where that money is going, we've got people waiting in line to take extra jobs. That must be the payoff, I guess, that some of these folks got for voting Aye. I think this is a terrible bill, and again, I wish I had my bill back to vote No on that one, and I'll vote...No on yours, Senator Savickas.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator, based on the Calendar here, and I don't have the report, you're increasing taxes to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

No, Senator, that bill has been gutted. Originally, it was intended to be used as a vehicle for McCormick Place legislation, they've decided not to use it; and in my good-hearted nature, I allowed downstate people to use this bill to accommodate their needs and concerns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Could we have some order, please. Senator Collins.

SENATOR COLLINS:

Okay, I was trying to pay attention but the noise level up, so I've got to clarify what he just said in my own mind. This...this...the analysis has nothing to do...the Calendar has nothing to do with what's in that bill at this time. Okay, that's correct. Now, you are, in fact, increasing the members on that board?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

That's...that's correct, Senator, from three to five.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

...what...what's their salary now?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

As I stated before to the previous Senator, the salary ranges from twenty-two thousand to about twenty-seven thousand, I think, for the chairman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

And they only work about two days every two months?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

It's my understanding they are going to be working two days a week.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Well...well, I...I see no justification for increasing the number on the board simply because the...the two that we have cannot do their work by working two days a week and making that kind of money. Now that...that makes no sense at all. Why don't we just increase their hours and...and then then they should be able to take care of the extra workload. I think we should reject this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. First of all, to get something clarified, Senator Savickas, just procedurally. The...as you described what is in the Conference Committee report, it is identical to what was in the first Conference Committee report. Most of us do not have copies, I don't think any of us have copies of...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, I am told by the Secretary that the Calendar is in error, this is, in fact, the first Conference Committee report. Senator Netsch.

SENATOR NETSCH:

Alright, fine. Thank you. Alright, then...then it is precisely what you've described, an increase in the number of the members of the board and a provision for the...how to phase them in, and I would support this. This is not the usual, if I may put it that way, frivolous board or commission, Senator Collins. This is an agency that has an abso-

lutely critical responsibility with respect to the property assessment process in the State of Illinois. The reason why we in Cook County are not particularly familiar with it is that we are the one county whose complaints about assessment do not go to the State Property Tax Appeal Board. But it is the final arbiter for assessments...complaints about assessments, at least, for the entire rest of the State. So, its function is extremely important. It is backlogged. We are in some ways slowly increasing its responsibility and we've had several proposals to do that even more this Session, and I have no doubt that we will continue in that direction. I suspect that it may even end up becoming involved with the Cook County assessments, although that is...certainly speculation at the present time. I think the only question, and it's been raised by others, is whether the members of the board will, in fact, work as hard as they ought to. I would like to believe that people will be appointed who will accept that responsibility and help this extremely important board to discharge its extremely important function. I think this is a defensible increase to see that this process is speeded up.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? I'd like to admonish the members, we're sort of getting over the time limits here. Senator Luft, do you wish to be recognized? Senator Lechowicz. Senator Maitland. Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I apologize for rising a second time, but very, very quickly, Senator Netsch, maybe then what we should do is reject this, take it back to another Conference Committee and...and establish some guidelines and time frames into which this board should work. Senator Sangmeister will tell you, they had a very serious problem in Will County with this particular board just

recently, simply not getting their job done. I understand the problem lies with the chairman. They simply don't...just simply don't put in the time. Again, they need more staff and they probably need two more commission members. But this particular situation, as Senator Kustra has indicated, is not going to resolve the problem that a very important board has, because tax dollars are held up because of the delay, and I think we have to resolve that difference and now must be the time to do it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Yes, thank you, Mr. President. Many of the speakers have brought out very pertinent points. I would like to just say that there are other bills on the Governor's Desk that would increase the responsibility of this board. There's concerns to make it independent; there is intention to increase the board so that they would allow the multipliers to be appealed by the taxpayer. So, you're talking about a very serious concern with the downstate taxpayer. Senator Kustra, this does not affect Cook County in any way. It was, as I said, a courtesy extended to use my bill to accommodate those needs downstate. I would urge a concurrence in this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the Conference Committee report on Senate...on House Bill 1864. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 13, 1 voting Present. The Senate does adopt the Conference Committee report on House Bill 1864 and the bill having received the

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required constitutional majority is declared passed, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Page 8 of...Page 8 of your Calendar, House Bill 1955, Senator Kustra. Senator Kustra.

SENATOR KUSTRA:

Mr. President, I Table House Bill 1955.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra moves to Table...Senator Kustra, why don't we proceed and get back to you in a minute. Alright, take it out of the record, we'll get back to it. House Bill 2000, Senator Hall. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House...put the right number on the board up there, will you, please. House Bill 2000 would, in effect, authorize municipalities to lease or convey the property for the reasons approved by a three-fourths vote. In other words, that the real impact of this bill is to allow for more flexibility for municipals to...municipalities to lease or convey unneeded or unused land. Now, this bill has had so many proposed amendments to it that finally that I think we've got everybody concerned into one particular amendment that was put on the bill, and it was presented by the Municipal League and other interested persons. And what it simply does is that it allows the...municipalities in actions brought to recover taxes paid under an invalid tax. Now, this is in accord with the doctrine established way back in 1902, that the taxpayer may not recover taxes illegally collected unless such taxes are paid under protest. These decisions constitute a massive assault on taxing bodies in that municipalities can never assume that tax money collected and expended years earlier would not have to be repaid at some future time. The fiscal integrity of all taxing bodies is now

threatened. Municipalities are confronted with the prospects of refunding taxes paid for many years without challenge or inquiry. The proposed amendment would reinstate the law regarding taxes repayments that stood the challenge from 1902 to 1978. It's amended to make sure paper box...no, that was taken out, that was included also. It is amended to make sure paper boxes and cartons stored for recycling is not refuge without the meaning of this Act. I'd ask your most favorable support of the bill...I mean, the adoption of House Bill 2000.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I want to direct my questions, if the sponsor will yield,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

...to the portion of the Conference Committee report which deals with the...the forgiveness of illegally collected taxes and fees. As I understand the amendment now, a person who is paid a tax or fee illegally collected to a municipality, he has one year from the period prior to the filing of that claim, is...is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

You're correct.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The...Channel 20 has sought leave of the Body to tape the proceedings. Is leave granted? Leave is granted. Senator Etheredge.

SENATOR ETHEREDGE:

What is the limitation presently in the law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

There is none at this particular time, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

There...there is no limitation at all. So, if you paid a tax illegally collected twenty years ago?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

It's strictly up to the courts, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I'm...I'm wondering how this bill will...affect the Chicago service tax, which is now being litigated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

I understand that it would include this, that's what I've been told.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

I...as I understand it, what this would do would be to...to undercut, in effect, the...the litigation now going forward on the...on that matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Senator, I understand that that money is in escrow, so it

would not affect it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

My understanding of the Conference Committee report makes a general provision that this new section shall apply to all cases which have not yet reached final judgement. And so, and...and...and I'm wondering why you would have a provision like this in here without grandfathering cases now in litigation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

...would you repeat that, Senator, please, I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

My understanding of this Conference Committee report says that this new law, if enacted, shall apply in all cases which have not yet reached final judgement. In other words, there's no grandfather clause in there, nothing to protect litigation now in...process. I'm wondering why that provision was left out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, I'm trying to find...but I just don't know at this time, I'm trying to check with it, Senator, just be patient just a second. I just don't have it right here right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Alright. Then I somewhat reluctantly rise in opposition to this Conference Committee report, because it does have

some features which I think are...are good and desirable in which we should act in...enact into law, and I'm thinking...and I have reference particularly to the definition of what constitutes garbage and refuse and ashes, I think that's all well and good. I think that we need that. However, the...the section that I have been addressing here does not...does not protect those suits now in the...courts with regard to taxes that have alleged to have been collected illegally. If there is...it provides an automatic forgiveness for municipalities that illegally collect taxes and fees, and I think this section of the report needs to be reworked, and I would urge a No vote and put this in a second Conference Committee so that this can...this report can be put in, what I would consider to be, proper form. I would...urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I think this conference report on House Bill 2000 goes way too far. Yesterday we passed the conference report on Senate Bill 1203 of Senator Rock's, which I expressed some misgivings about and yet opposed. But that particular report was...was narrowly confined to...to issues in two particular cases. The provision in this Conference Committee report takes a...really a sort of a meat ax approach in that it would apply to any action, any suit brought against a...municipality questioning the legality or constitutionality of taxes, license fees, permit fees, franchise fees, without regard to what type of a suit that might be. First of all, I'd point out that this provision is only directed against...to suits against municipalities, but what about suits against other units of government? What about suits against the State, against counties, against townships? Will we permit refunds beyond one year prior to the time the

suit is filed in those types of cases and, yet, not in situations where the suit is against a municipality? This seems to be a special piece of legislation just for municipalities. I can see good reasons why there ought to be refunds in some cases, and there ought not to be refunds in other cases. Frankly, I think that's something that ought to be determined by courts on a case by case basis, and ought not to be addressed in sweeping...sweeping language that would apply to a case against every municipality in...in every type of case. I agree with my revenue spokesman, Senator Etheredge, in saying that this bill ought to be set...sent back to a second Conference Committee so that this second section of the Conference Committee report can be deleted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Although Senator Etheredge usually is not my spokesman on revenue matters, I rise to agree with his comments in opposition to this bill. I think this is a rip-off of taxpayers. What this bill says is that regardless of how long a municipality has been collecting illegal taxes, the most that the taxpayers can get back, once a court determines that they are illegal, is one year's taxes. I don't understand the rationale at all for that. If they're illegal, they ought to be paid back. Now, in the Evanston case, in the Oak Park case, what they were able to do, and I agree with Senator Barkhausen, the attorneys for both sides sat down and they compromised. Instead of having to pay back five years of illegal taxes, they worked it out to about eighteen months. And the bill that we passed that was sponsored by Senator Rock confirmed that agreement that was negotiated by the attorneys. I think that this is a...a drastic change, and I really don't understand the...the rationale. If they

are illegal, they ought to be paid back. Allow all the parties to negotiate the difference as far as the pay back, but I certainly don't think that illegal taxes beyond one year should be condoned by this legislation. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall, do you want to...Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Hall, I am compelled to ask a question which you frequently ask, which I really don't much care for, but I am curious...to the best of my...I know this provision did not come through the Revenue Committee. Since it's appearing on a Conference Committee report, I assume it was never heard in any committee, and I really would like to know, "who wants it?" What was the source of this provision, do you know?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Well, when the bill went out...these amendments came as a...as the results of a Conference Committee. If you're talking about the amendment here to 2000 was put on by...at the suggestion of the municipal...the Illinois Municipal League. They were the ones...because they were saying that cities were experiencing great difficulty on taxing bodies where the municipals can never assume the tax monies collected, and expended years earlier would not have to be repaid in some future time. So, that's where it originated from, Senator.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Netsch.

SENATOR NETSCH:

Well,...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch, I have no intentions of cutting you off, so, Senator Netsch.

SENATOR NETSCH:

Oh, yes you do, Senator Demuzio. I...I can understand that there are sets of circumstances where the shock to a unit of government from an adverse court decision is so enormous and, perhaps, so unexpected that there ought to be some relief provided. I think that is what Senator Rock was...seeking for Oak Park. If I can go back years, that was what the Kaneland Community School District got from the General Assembly with the reversal of the tort immunity doctrine. There are circumstances where that is true. I think Senator Joyce's concerns in...in Grundy County and Senator Geo-Karis in Will County, and so forth. But...but this is a blanket exception that is really not limited to a particular set of unfortunate circumstances that a municipality really could not prepare for, and it seems to me that it does indeed go much too far at the expense of the taxpayers, and I, also, would urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen, for a second time. Your light's on, Senator. Senator Hall, do you wish to close. Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. That...I think that it has been discussed enough and I think everybody understands what's in there, so let's just have a run at it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall the Senate adopt the Conference Committee report on House Bill 2000. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record.

On that question, the Ayes are 11, the Nays are 37, none voting Present. The Conference Committee report is not adopted, and the Secretary shall so inform the House. 2058, Senator Schaffer. Senator Hall, do you wish a second Conference Committee on...Senator Hall requests a second Conference Committee. House Bill 2058, Senator Schaffer. Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this Conference Committee is, perhaps, one of the tougher votes we have left in front of us. This bill is the Department of Public Aid bill, and the Conference Committee would put the five hundred dollar limit on hospital payments for general assistance, GA recipients, and postpone the nursing home rate increase that's due next January to a year from now on July 1. We recently went through several months of very unpleasantness...pleasant type situations as we wrestled with the tax increase, and, of course, one of the reasons that happened was we had managed to get ourselves very thoroughly behind the financial eight ball. Without this type of language or some very creative action by the department, we stand to get ourselves right back to where we were but a few short hours ago. The real question with this bill and the problem this bill addresses is the prevention of a hundred...an extra hundred million dollars in debt that we would have to wrestle with next year. Now, having said that, I will say that it is tough medicine for hospitals and nursing homes, I guess, particularly hospitals, it's the big dollar item. We did not...I think if one compares the budget proposed by the Governor at a billion six and where we are, one cannot help but notice the hospital line items did not fare very well in that reduction. I cannot argue that we have not created problems throughout the State with hospitals, but I...would suggest to you that that is a problem we should be

wrestling with. We have a special committee, I call it the 495 committee, that's going to be looking at...hospital reimbursement and this whole Medicaid...pardon me, Medicare area, and I would suggest to you, as painful as it is, that we should pass this Conference Committee report, and that a very high item on our legislative agenda and the Executive Branch's agenda should be a meaningful, responsible, fair reimbursement system that adequately reimburse the good hospital operators in this State. Be happy to answer any questions, but I think this is one item that we do have to conclude before we can go home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? We have six Senators that have sought recognition. Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Would you explain this five hundred dollar limitation...what actually does that...does that mean?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, what it...the...it's a cap on hospital payments. If a GA recipient comes into a hospital and the bill is twelve hundred dollars, the maximum the department is going to pay is five hundred dollars; and the hospitals, of course, are aware of that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

So, then regardless of cost, how high they may be, the very maximum is going to be five hundred dollars?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Yeah, that's right. Now, I should point out that it was only a few short hours ago that what we were...staring at us was the elimination of everything, including the five hundred dollars. This is one of the compromises brought about by the reduced tax level.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

But...excuse me. Do you have any idea what the average cost per day hospital...bed would be in Illinois?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, more importantly, the average cost for a GA recipient that this would affect averages twelve to fifteen hundred dollars a visit. So, we are underpaying an average seven to a thousand...seven hundred to a thousand dollars. I would be the first to admit to you that at least a portion of our GA population...and if you...if you look at the GA population, a lot of them are young, healthy types and they don't run up many hospital bills; but a portion of them are people who are former alcohol and drug abusers or continue to be, and they have some pretty impressive medical problems, there's just no two ways around it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, then ultimately, who will have to pick up the price and the cost of...of providing this health care?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Well, again, I should point out that this limitation has been under effect for several months for the emergency

limitation power we gave the Governor. Clearly, what happens is that the hospitals have to build these losses into their payment structure for the rest of the private pay. I think the fancy Federal term is cross subsidization. All of us with group medical or private pay plans will directly at least pick up a large portion over the hospitals and the charitable groups that support the main part of it, but most of it has got to eventually come back to us.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Yes, exactly, that's what's going to happen. The...the cost is going to be shifted to the private individuals, third-party payers or just general individuals who...who require hospitalization. This is a tough vote, there's no doubt about it. The responsible vote from a financial point of view is to...to stay with...within our budget, but, again, we can't continually ask...hospitals to bear more and more of the burden. And here we had an issue before us this year which was a very popular issue among many members of cost containment, forcing hospitals to...to live within a certain means, and now we come back and...and we're asking them to say we're going to put a five hundred dollar limitation on someone who may come in and actually be thousands and thousands of dollars of cost which are going to be shifted to the private individual. It's no wonder that hospital costs are as high as they are when government continually mandates this type of a...of a program. And I...it's a tough vote, there's...there's no doubt about it, but I...to be responsible, but then, again, try to take care of the hospitals is...is another matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of...the Conference Committee report on House Bill...2058, and it is the first time, I think, that I have risen in support of a Conference Committee that has a base of support of 29 votes. Every individual who voted against an increase in the Illinois Income Tax automatically votes Aye on this one, automatically. This is one of the lesser tough decisions that we were confronted with with the doomsday budget. The doomsday budget had four hundred million dollars less in public aid expenditures than we now will have. But even with that, because of the reduced revenue base, this bill, unless passed, will result in additional spending of at least seventy million dollars. Seventy million which we simply do not have. Now, I sit on the board of a hospital, I understand the complexities of this, but it has to be done. And for all of you who voted No on the Illinois Income Tax, this is an automatic Yes vote, automatic. There's a seventy million dollar price tag on House Bill 2058, and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussions? Senator Sangmeister. Senator Schuneman. Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. I have some questions about these caps, like to address them to the sponsor. Senator, when you mentioned the five hundred dollar cap on the hospital, could you tell us to what category of public aid recipients those caps apply?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

All of the general assistance. It...it is not universally across the board, it's not AFDC or the other ones, it's the GA population, the non-Federally mandated,

strictly GRF categories.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, that's the point I wanted to make. The general assistance category then is the one which we actually stopped funding a few months ago, and they are the ones that are...that...to which the cap would apply. Not many of the questions have been directed to the nursing homes, and I'm curious to know what it is we're doing to those people again. As I understand it, they were...they were scheduled to receive some kind of increases on...July 1 of this year, and again January 1 of 1984. Could you describe for me what those increases would have been and what the effect of this bill would be?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

It...it delays the next rate increase till a year from yesterday, basically, July 1 next year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Okay, but what was...what is...was that rate increase to...to have been? What are...what is it that they aren't now going to get under the terms of this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

It approximates about thirty-eight million dollars in revenue they would receive that they won't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

What I'm trying to do, Senator, is assess the effect on these nursing homes that are...that are striving to survive. Is there a percentage impact on each home, or...or what are we talking about here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Of course, the impact on the home would have to do with the patient mix. I am informed by a highly reliable source that it's about seven percent that we're talking about.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Now, that...that's the July 1 increase, or is that both increases?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

We...if you put the two of them together, it's approximately a ten percent increase.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Just briefly to the bill, then. As has been stated before, this is a heck of a tough vote. We can vote against this bill and probably continue down the path of having a public aid system that we can't afford, and aren't...and won't fund adequately. Or we can support the bill, which is probably the right thing to do financially for the...as far as the State of Illinois is concerned, but it won't solve that problem that remains in our communities under which governments, both the State Government and particularly the Federal Government, are causing a shift of their mandated programs to the private pay patients, those people

who...particularly the elderly who may have entered a nursing home with adequate resources only to find that they're bankrupt because they have to pick up part of the tab for the public sector not funding the mandated programs. And I'm going to support this bill, but it's a heck of a tough vote, and pretty soon now we're going to have to begin to deal with the fact that we sit in Springfield and mandate all kinds of programs on our health care facilities and do a darn poor job of funding them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Members of the Senate, we have now established the clock again. We have just gone all over the place. Senator Collins.

SENATOR COLLINS:

Yes, thank you, Mr. President and members of the Senate. I rise in very strong opposition to this Conference Committee report. And to those of you who voted for the income tax...and to those who voted against, a Yes vote on this issue is the same as a No vote on the income tax, because...there is no way that someone can go to a hospital to talk about hospital stay, they can't even be processed through the system, not only get up to a room, for five hundred dollars, And everybody in this room knows that. So, I would suggest to you that let's not, at least, add insult to...injury by pretending that we are providing some assistance for hospital care for this category of people because we are not. It is five hundred dollars per visit for those persons that don't even exist. It has no impact because no hospital in the world will accept them for that five hundred dollars, you know it and I know it. So, I say let's vote this Conference Committee down.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you...thank you, Senator Collins, for staying in your time limitation. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Senator Schaffer, just a couple brief questions. We've been told what happens...what this bill will mean to the caps on hospitals and nursing homes. If this bill does not pass and if the Conference Committee report is not...adopted, what is the status of the reimbursement schedule to hospitals and nursing homes in that event?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAPPER:

Well, I should point out at this point that this is the second Conference Committee and it has been adopted by the House, so this...this is it. You have identified that issue and we should emphasize it. I believe that the department is obligated to go forward with the nursing home portion, but I think they have the rule and regulatory power to implement the cap portion. I believe those are before the joint committee, and, you know, they can...I don't thoroughly understand all that, but I am led to believe that is the case. Senator Bloom indicates he will expand on that answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I was involved some years ago, two or three years ago, when there was a severe strike in the...in the...in the nursing home industry and there was some very serious questions about the quality of care that when...were going to be able to be delivered to patients as a result of that strike, and at that time when that issue was resolved, there were some commitments made to the nursing home providers about reimbursing...reimbursement rates. Just seems to me that if we continue to go back on that commitment about reimbursement rates and reimbursement schedules, at some point, at some

point, the quality of care to those individuals has to suffer, it has to suffer. And I think if you talk to any...any serious, legitimate nursing home provider, I think he would tell you that. That's why I...I can't in good conscience vote for this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If you remember when the Governor was here and I questioned him, you know, it's a sad, sad day in America and especially in the State of Illinois. I voted for an income tax like many of you here, and the best that these poor people are going to get out of that is a hundred and forty-four dollars a month. Now, here we come along with this, talking about five hundred dollars in the United States today, and this is the thing we talk about. It's fine to talk about roads, it's fine to talk about all that, but our first and primary concern should be, are we going to take care of the poor, the needy, clothes...clothe them and take care of the injured and the elderly and the people that are in need of hospitals. It's a sad, sad day. I'll tell you what's going to happen on this, it means that hospitals are going to close. It means that people are going to go to the hospitals, and if they have anything over five hundred dollars, the hospital must pick it up. People are going to be turned away. People are dying today right in the State of Illinois because of this cap that was augmented, and because of the action of the Governor, what he did already, and you know I challenged him when he was here. Thirty-two thousand people plus have no medical coverage whatsoever in this State, and yet, we go around here, we've raised everything we could on the backs of the poor, everything. You just look at it, and you know why it wasn't the larger personal prop-

erty...not personal property, the income tax, you know what happens on all of that, and they had to cut it back so it would be on the poor people. Now, we come along and saying that all they can have is five hundred dollars. It reminds me on that passage that it says when...was going on the Road to Damascus, "Quo Vadis, whither goest thou?" What are we doing here? What we're doing is this, we're saying that we're insensitive to the needs of the poor. We're insensitive as well as we around here. We don't worry about going to the hospital because we've got hospitalization. You mean to tell me, it's a sad, sad day that we sit here and we vote all of this stuff. As a matter of fact, to show you how ruthless it was, it was just to summarily cut all these people in the first place, put a cap, telling hospitals you pick up what's over. The average stay in the hospital now runs a thousand to two thousand dollars. They come in with five hundred and the hospital is going to pick up the other. In answer to your question, Senator Watson, the point that's happening is this, that we here who feel that we are getting by, that we're doing okay, we're turning our backs on people. We're saying, you are entitled to five hundred dollars and that's the cap. Go in the hospital after that, we don't care what happens, die or do whatever else. It's going to mean that more people are going to suffer and all this...you read where we put a billion dollar tax thing out of here and all this we turn around. We find money for everything else, we find money to give all of these raises to everybody, we find money for all the things that...but yet, when it comes to the poor, today if you're poor, it's tough luck. I eat everyday, to "H" with you. How many of you people go around here and do without. It's a sad, sad day, and I'm telling you, if we take action on this kind of thing...you can find money, there's money found for everything else. Tell people about potholes in roads. If a person's sick, what are they going

to be concerned about potholes in roads. And I'm telling you, it's sad. I can't in good conscience vote for this that would deny people medical treatment that they need.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. Well, I can in good conscience vote for this, the second and final Conference Committee report. Senator Hall, we didn't raise the income taxes on the backs of the poor, that's for openers. I'll tell you, when we had the so-called doomsday budget...or excuse me, the emergency budget cuts of '83, all the providers were cut seven and a half percent. The second Conference Committee report on House Bill 2058 restores the 7.5 percent except for the nursing homes to FY '83 levels. Why? It wasn't just to pick on the nursing homes. Every year from '77 to '83 we increased...we increased for the nursing homes. And I'd like to raise another point, an issue, and I guess this goes more to personal privilege than anything else. I'm afraid Mr. Quick of the Hospital Association is up to his old tricks again, because the Republican phone at the rear of the Chamber is ringing, and that means someone from Naperville has called a hospital trustee or administrator and given them our phone on the Floor, and I don't think that that really is the proper way to lobby us. I wonder why the hospitals are doing this to themselves, because the Department of Public Aid has the power right now and already has some rules in place that we issued advisory objections to only to cut the hospitals. This is the second Conference Committee report, and, Senator Watson and Senator Schuneman, it's not a tough vote at all, it's not a tough vote at all. If you did not support the tax increase because you feared that much of it would go for salary increases and others, then it's very easy to vote this way, because, ultimately, we have to live within our means.

I don't see the taxpayer down here lobbying, they're not organized. 2058 is as fair and as equitable as we can achieve on the 2nd of July, 1983. This is the last shot, it's the final Conference Committee report, and I think we can start and should start with a base of 29 votes and get the other seven or eight or nine votes to adopt this. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bruce.

SENATOR BRUCE:

Just a question of the sponsor. Senator Schaffer, under the Emergency Budget Act, the department, I believe, was given authority to set a cap on GA assistance. After July the 1st, what authority do they have to place any cap on general assistance stays and the money that they would pay for a general assistance person in hospitals?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer.

SENATOR SCHAPPER:

Well, just the general authority, and...and, frankly, that...they may not have the authority to put the cap on and they could be sued successfully; and...at which point, Senator Hall, if they are sued successfully, then the line item they would have to move against to fund this is that hundred and forty-four dollar a month line item, and that would quickly become eighty-seven dollars a month without this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Well, I...I would just stand in opposition to this bill. Senator Buzbee and Johns and myself, I think, have more public hospitals than any other Senator on this Floor, and what you are doing is foisting upon my public your costs; and

if you don't reimburse at the proper level, every time they go in at a county or township hospital, be it in Cook County or in Richland County or any other county, you're just saying to the taxpayers at the local level, come up with more money. We ought to come up with more money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer may close.

SENATOR SCHAFFER:

Senator Bruce, you voted for the income tax, I think you've got a right to say that. I'm not sure that the twenty-nine of us that didn't have any options on this bill. I would suggest to you though that the department probably would, in fact, have trouble imposing the cap, and clearly, the...the nursing home increase would happen, and I should point out that they had...had an increase every year for the last seven years, and that no other provider has budgeted with an increase this year. So, we aren't being unduly harsh. Clearly, we didn't have...the Governor came in with a billion six; we didn't fund that, this is one of the areas that got cut back. Without this legislation, we're going to drive up another sixty, hundred million, depending on who you're talking to, debt. Put ourselves right back where we were. I would respectfully suggest that what we need to do is adopt this Conference Committee, bite the bullet, work on a fair system of reimbursement and then try and find the money somewhere to fund it. But I don't think we have any choice but to adopt the...second, I reemphasize, second Conference Committee on House Bill 2058.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall the Senate adopt the second Conference Committee report on House Bill 2058. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?

Have all voted who wish? Take the record. On that question, the Ayes are 28, the Nays are 24, none voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Schaffer.

SENATOR SCHAFFER:

I'd like to request postponed consideration on that vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schaffer has requested postponed consideration. Is leave granted? Leave is granted. Postponed. Senate Bill 83, Senator Jones. Senator Jones on the Floor? Senate Bill 186, Senator Buzbee. Senator Buzbee.

SENATOR BUZBEE:

Yes, thank you, Mr. President. Senate Bill 186 is the Conference Committee Report No. 2. First of all, the House recesses from Amendment No. 1, and what we do is we place a three hundred million dollar authorization cap on borrowing. It restricts borrowing balance to three hundred million at any one time. It allows borrowing to come from all State funds, and it requires the pay back to come from the applicable fund. It incorporates other minor changes in House Bill 1. Let me tell you what the total impact will be now other than what I've just described. It also requires that advertisements for such loans appear at least ten days prior to the date of submission of the loan. It requires that the loan be awarded to the institution which provides the lowest borrowing cost to the State. It deletes reference to persons who provided the lowest cost and replaces that language with "institution." It deletes reference to the term "bonds" and substitutes the term "general obligation notes." It deletes the present requirement that the Comptroller keep a special book on the loan, and it stipulates that the repayment of the loan include payment for cost and expenses of such borrowing. This is in line with...you're aware that the Constitution of the State of Illinois allows the Governor the authority in

the case of a dire emergency, which happened this year, to borrow up to fifteen percent of the budget. And what we have done here is that we have said that...that we're going to limit this to no more than three hundred million dollars in any one fiscal year, and that crossing over from one fiscal year to another, that no more than three hundred million can be outstanding at any one time. And I would ask for the adoption of...it is, I guess, Conference Committee Report No. 1, is that correct, Mr. Secretary? Conference Committee Report No. 1 to Senate Bill 186.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? That is correct. The question is, shall the Senate adopt the Conference...Conference Committee Report No. 1 on Senate Bill 186. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Savickas. Sam. Have all voted who wish? Anybody wish to reconsider? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 23, 1 voting Present. The Conference Committee...report is not adopted and the Secretary shall so inform the House. Senator Buzbee, do you request a second Conference Committee?

SENATOR BUZBEE:

I certainly do, Mr. President. I hate to see this become a partisan issue, because what it is is the General Assembly saying we're going to exercise our control that the Constitution says we're supposed to have.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...

SENATOR BUZBEE:

Obviously, the Governor has lobbied the other side of the aisle and that is very unfortunate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Buzbee has asked for a...appointment of a second Conference Committee. Senate Bill 332, Senator Grotberg. Senator Grotberg.

SENATOR GROTERBERG:

Thank you, Mr. President and fellow Senators. I move the adoption of the Conference Committee report...first Conference Committee report on Senate Bill 332. This is our effort, and it's quite bipartisan, to do something about the early release program that has been so offensive to so many of our citizens now indulged in by the State Department of Corrections. Every Friday a list goes out for a hundred people out and every Monday morning they go. A hundred new people go in and we're short of beds. Even with the tax increase that has been voted, the limitations on that are very stringent and until they get the new centers opened will continue to have some problems at the rate State-wide of some two hundred...one hundred a week input from the various counties. This bill merely states that misdemeanants who...without this bill, each county may...for anyone who is sentenced sixty days up to three hundred and sixty-four days may be remanded to the State Department of Corrections for Class A misdemeanants. This Conference Committee report strikes that and says that they shall stay in the county jails where they are closer to home and closer to the plea bargaining system, and I would move the adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I rise reluctantly, and if you put it on a scale of one to ten, it would be about nine, in support of this, basically, with...because the Department of Corrections is faced with a situation where misdemeanants are forcing felons out of the

system. It's an anomalous situation. However, the flip side of what actions Senate Judiciary Committee took this spring, which was to put a hold on enhancement bills, has to be to attempt to remedy a situation where misdemeanants are taking up bedspace in the Department of Corrections that is more properly occupied by felons. We're making a policy judgement, basically, saying that the Department of Corrections is set up to house those individuals who are a greater danger to society, and felons are a greater danger to society than misdemeanants. Director Lane has told us that the scum de la scum is pretty much filling up the Department of Corrections. Well, as a consequence, I know that this may cause some problems with our counties, but they're not insurmountable problems in my judgement. And the alternative is too anomalous, I think, for us to countenance as a matter of State policy. Therefore, with great reluctance, I will vote Aye.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you. Apparently, there...be a lot of bills we'll be doing a lot of things with reluctance on today, and it's certainly with reluctance, particularly in light of, I know the capacity of the Will County back home is practically to breaking point also; but having been involved all year long with this overcrowding situation in our Illinois prisons, I think, too, it is time we start looking at an alternative. Some of your local counties may not be too happy with this, but I think you have to look at it and act responsibly from this end of it also. And I can assure you that if, in fact, this program is adopted and your misdemeanants stay in your county jails, that as soon as, and if ever, the prison overcrowding problem has changed in the State of Illinois, I would be the first to be back in here to allow misdemeanants

to once again be incarcerated in our State prisons. But until that time, I think the counties are going to have to share the responsibility of what's happening throughout the State of Illinois, and I would ask that you adopt this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Yes, first, question of the sponsor. Senator Grotberg, is this the same Conference Committee report, the first one, that I indicated to you that I would not sign that...well, then I...I don't have a second Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Collins,...you want us to get back to you?

SENATOR COLLINS:

No, no...I'm...I'm supposed to be on this Conference Committee, and the first Conference Committee report did not, in fact, deal with just misdemeanors. It addressed the issue, it simply said that the Governor of this State passed those Class X laws and now he's saying that unless...in this first...committee report, it said that if...the prisons are overcrowded and they do not have the space, that...that...that other than those persons sentenced to death, the counties had to keep them, including those who had a term of...of one year or less, the misdemeanor. Now, I just want to...to...to see what you're doing. I...no one informed me that there was a second Conference Committee, and I want to know.

END OF REEL

REEL #4

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson. Oh, was it a question? Pardon me, Senator Watson. Senator Grotberg.

SENATOR GROTBERG:

I'll...I'll gladly explain the...the Senator's problem. The Senator's problem is that we had a previous report we couldn't even get the signatures on. Remember that one? Never got filed, this is still the first...report, and I suggest to you, this is the last one. I wouldn't ask for another conference report on this issue at this late date for any reason.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Well, I...I still say that this is a far cry from what we have now. Now, I know that misdemeanors before could, in fact, be sent out to correctional facilities by the Department of Correction. The Cook County Jail is already...already they have people out there sleeping on the floor and stacked up on each other. And they are in danger of Federal suits right now, and if we pass this Conference Committee report that says that anyone with one year or less sentence will have to stay in Cook County jail, I don't know where we're going to put these people. What are we going to do with them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Bruce.

SENATOR BRUCE:

Well, wake up, guys, this is the bill that's going to defeat you when you go back to run again. This is the bill that says...every time in all the goofy bills that we've

passed in this Body increasing the penalties, we did it, we said get tough, we put them in jail, and now this bill says, oh, by the way, let's put them in the county jails. That's a neat trick, we don't have to pay for them that way. Every time someone commits a misdemeanor in the State of Illinois, we'll leave them down in Richland County or any other county in the State of Illinois. Elrod's...already under about a half a dozen lawsuits for overcrowding in the Cook County jail. I don't know how you're doing in all the other jails around the State of Illinois, mine are right at the...at the brim. The director said he would have to build a new jail every eight weeks next year to take care of our, our, decision to toughen up on criminals. And now, because we don't want to build a new prison every eight weeks, we're going to send them back to all of our county jails. I don't want them, I don't want all those people. If we have to build a new...new prison every eight weeks, let's get about laying the bricks and mortar, not this bill. Not to say that every misdemeanant in the State of Illinois stays in a county jail. It'll break every one of our counties, including Cook.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

You may have alluded to this in your opening remarks, and if you did, I apologize, but how does the State Mandates Act apply? It seems like this should be a nonreimbursable local mandate that we should be funding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grothberg.

SENATOR GROTEBERG:

To my knowledge, it's permissive for them to go to the State for money for cost.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Watson.

SENATOR WATSON:

I'm sorry, I just don't understand. I don't understand the answer.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Grotberg. This is on your time, Senator Watson. Senator Grotberg.

SENATOR GROTEBERG:

Thank you. My handlers have informed me that the bill contains the fact that it's a nonreimbursable State mandate, this bill. Well, it's in this language, we didn't amend that in, always has been, it's part of the Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I rise in opposition to this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright, Senator D'Arco, with leave of the Body, we'll get back...Senator Grotberg, for what purpose do you arise?

SENATOR GROTEBERG:

In Section 3, which is not underlined, it's still new language and it is in this bill, Senator Watson, that it's a nonreimbursable State mandate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. I could support this bill, Senator Grotberg, but we had a Conference Committee report that was tubed in the House that would make residential bur-

glary a probationable offense the way it used to be under the old law, until we changed it to make it nonprobationable. Now, that doesn't sound like much, you know, it's a simple change in the law. Director Lane testified in the Judiciary II Committee that because of that law there are nine hundred more people in Illinois prisons today than would be in Illinois...prisons but for that law. So, that, to me, means that if we changed that law back to the way it used to be, maybe we can...we could sent those nine hundred people back home and not replace them with nine hundred more. That seemed very reasonable to me. But no, you know, I don't know, we're not about doing what should be done, apparently.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. Senator Grotberg, I...I'm going to support the bill; and I'd like, if you would, when I finish, to explain what commitment you're going to make to the counties relative to what it costs them. But in support of the bill itself, Ladies and Gentlemen of the Senate, we happen to have a critical emergency in the State of Illinois regarding felons. Misdemeanants don't belong in the State prisons and the county prisons to...rather, in the State prisons to begin with. Misdemeanants belong at...at the county level. Without this bill, you're going to force the Department of Corrections to turn loose felons, Class X next, and that's where we are. I think the...the question of...of the financing of this has to be addressed today. There's got to be a commitment so that those who holler about letting...increasing their costs on the county level will be...that problem will be addressed. But the alternative to this emergency measure is to let out felons, and the next class will be Class X felons, violent criminals, to let them loose. I don't think we have an

alternative. I think we have to vote for it, but I'd appreciate that commitment, Senator Grotberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Grotberg, you may close.

SENATOR GROTBERG:

Well, thank you, Mr. President and fellow Senators. Senator Egan, in response...Senator Egan, in response to your plea. There is an active program going on in the House now, I wanted to go into this thing with a twelve dollar a day room and board to the counties, was my first pitch. My second pitch that Senator Collins stormed off on and wouldn't sign at all, and nobody over there would, would be to make it reciprocal. If there's and open bed at the State, the counties could send one. The least we could have is reciprocity. This is the bill we windup with. There's an active program in the House now to put up some monies to help this program be palatable to the counties. I will work the rest of the day on that, it is not in this bill. And I will work the rest of my life on it, because nobody in this Legislature has done more for counties than I have over a twelve-year period. My commitment is to...local units of government and will remain in that posture. So, I give you my commitment on that program. To Senator Collins, on your remark, all...misdemeanants now...up to sixty days are in the county jail, up to sixty...Class A's, okay? And it's only after sixty days that they are now remanding them to the State Corrections Department, and the court doesn't have to. This is a sentencing procedure, and that's where Senator Sangmeister's wisdom has served us so greatly. And on that subject, in Cook County Jail, please send us your murderers and felons and empty some of those beds, but...and make room for the misdemeanants. The Corrections Department is mandated to take those if they're remanded. My other concern

is, former Senator and now State's Attorney Richard Daley is in favor of this bill. He does not run the county jail but he is in favor of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Grotberg, could you bring your remarks to a close.

SENATOR GROTERBERG:

I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the Conference Committee report on...on Senate Bill 332. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 16, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 332 and the bill having received the required three-fifths...vote of the members elected is effective...immediately upon its becoming a law. Alright, Senator Collins has requested a...verification. Are you joined by an additional Senator, Senator Collins? Alright, Senator Chew. There's been a request for a verification. Will all members be in their seats. The Secretary will read the affirmative roll call. Mr. Secretary.

SECRETARY:

The following voted in the affirmative: Barkhausen, Becker, Bloom, Coffey, Darrow, Davidson, Dawson, DeAngelis, Degnan, Egan, Etheredge, Fawell, Friedland, Geo-Karis, Grotberg, Hudson, Keats, Kelly, Kent, Kustra, Lechowicz, Lenke, Macdonald, Mahar, Maitland, Marovitz, Netsch, Newhouse, Philip, Rigney, Sangmeister, Savickas, Schaffer, Schuneman, Sommer, Weaver, Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins, do you question the presence of any

member?

SENATOR COLLINS:

Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse on the Floor? Senator Newhouse on the Floor? Strike his name.

SENATOR COLLINS:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Dawson on the Floor? Senator Dawson on the Floor? Strike his name.

SENATOR COLLINS:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz on the Floor? Strike his name. Senator Collins, do you question a member? Alright, on that question, the Ayes are 34, the Nays are 16, 1 voting Present. Senator Grothberg requests postponed consideration. Postponed consideration. Leave is granted. Is there leave to return to Senate Bill 186? I am told that...leave...leave is granted. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Thank you, Mr. President. Having voting on...having voted on the prevailing side by which Conference Committee Report No. 1 on Senate Bill 186 failed, I move to reconsider the vote by which that motion failed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator...Senator Schuneman has moved to reconsider the vote by which Conference Committee No. 1 to Senate Bill 186 was defeated. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The vote is reconsidered now. Senator Buzbee.

SENATOR BUZBEE:

Thank you. I want to thank Senator Schuneman and the Republican side of the aisle. We appreciate your...your assistance in this very much. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate...Senator Schuneman.

SENATOR SCHUNEMAN:

Well, for the benefit of the...the members, Mr. President, this is the bill that puts a further restriction on the Governor's right to borrow short-term borrowings. The Constitution provides that the Governor has the right to borrow up to fifteen percent of the revenues. This simply restricts that to a three hundred thousand...a three hundred million dollar authorization. I think there's general agreement on the part of both partisan members...both parties in this Chamber and also the Governor's Office. I think it was because of some mixed signals that the bill failed originally and, therefore, I'm going to support the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Now, is there any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Will the sponsor yield to a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

What's the purpose of the three hundred million?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

That's the amount that we have allowed him, and that was the amount the Governor said that he may have to borrow...during Fiscal Year '83, and it was an outside limitation that had been agreed upon.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

I'm sorry, I couldn't hear him, there's some conversation in front of me and to the side of me. But I...didn't we pass the income tax?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

Senator, to the best of my knowledge, we did pass the income tax.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, then what's the purpose of the bill? Here we're asking for three hundred million dollars for Fiscal Year 1984 and any other fiscal year, the amount authorized by the General Assembly by law which shall not be more than fifteen percent. So, we're going to now give the Governor the opportunity of having three hundred million more dollars at hand through bonding?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee.

SENATOR BUZBEE:

Well, Senator Lechowicz, let me run you through just a brief history. Under the old Constitution, the 1870 Constitution, the General Assembly in 1898 passed a law which dealt with this very subject. The new Constitution of 1970 specified the fifteen percent limitation. The General Assembly has never brought the Statute in conformity with the new Constitution. And the fact of the matter is, without this limitation, without this Statute, there is a distinct possibility that some interested citizen could come in and bring suit against the Governor for not being in conformity with the new Constitution, because the old Statute does not con-

form to the new Constitution. This is an attempt to clean that up. As you are aware, we presently have an outstanding debt balance; the Governor has now borrowed...the Governor has now borrowed two hundred million dollars, and, quite frankly, without this cleanup language, there might be a possibility that somebody could come in and bring suit and completely disrupt the ability of the State to pay its bills.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, Mr. President, I, for one, would never want to be placed in that position, as far as disrupting the payment of bills for the State of Illinois. But now, reality, what this bill does, it corrects the shortfall in the income tax, so in this way the thirteenth school aid payment possibly could get paid at the remainder of the year, and I encourage the adoption of Senate...the Conference Committee Report No. 1 on Senate Bill 186. This corrects the inequity of the income tax that was passed by this General Assembly, letting the Governor come up with three hundred million dollars and...make sure that the State is...cash flow current at the remainder of this year...that's my interpretation of the bill anyway.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Buzbee may close.

SENATOR BUZBEE:

I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 186. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 1

voting Present. The Senate does adopt the Conference Committee report on Senate Bill 186 and the bill having received the required three-fifths vote of the members elected is effective immediately upon its becoming a law. Is there leave to return to Senate Bill 83?...leave is granted. Senate Bill 83, Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats, for what purpose do you arise?

SENATOR KEATS:

As some of my colleagues have been want to do, it seems...I got the wrong switch. I voted Present on the last one when I intended to vote Yes, and I'd like the record to reflect it, please. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so reflect. Senate Bill 83, Senator Jones.

SENATOR JONES:

Yes, thank you, Mr. President and members of the Senate. Senate Bill...Conference Committee Report No. 2, it should be, on...on Senate Bill 83 places the bill back in its original form as it left the House with the House amendment. And what that does is allow the Chicago Board of Education the option of keeping its records either on microfilm or...or in well-bound books. I move its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? Any discussion? The question is, shall the Senate adopt Conference Committee Report No. 2 to Senate Bill 83. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none

voting Present. The Senate does adopt the Conference Committee Report No. 2 on Senate Bill...52...Senate Bill 83 and the bill having received the required affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Is Senator D'Arco on the Floor? Senator D'Arco on the Floor? With the leave of the Body, we'll go to the...Page 10. I am told that the House has rejected Senate Bill 1336. Senator D'Arco seeks leave of the Body to go to that order of business so that we can dump this one. Is leave granted? Leave is granted. Senator D'Arco on 1336.

SENATOR D'ARCO:

Right. That...that's exactly right. Let's vote on this one so we can dump it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Is there any discussion? The question is, shall the Senate adopt Conference...Conference Committee Report No. 2 on Senate Bill 1336. All those in favor signify by saying...those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question...on that question, the Ayes are 4, the Nays are 25, 1 voting Present. The Conference Committee report is not adopted, and the Secretary shall so inform the House that Senator D'Arco requests a Conference Committee. Senator Dawson, for what purpose do you arise?

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to have leave to take from committee Senate Joint Resolution No. 38 so it can be put on the Supplemental Calendar and be made available to everybody.

PRESIDING OFFICER: (SENATOR DEMUZIO)

You've heard the request. Senator Dawson seeks leave of the Body to take from the Senate Executive Committee Senate

JB 434
C.C. Report

Joint Resolution 30. Is there...Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Brief explanation of the resolution, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

That is why I want to take it from committee...all it is is a recommendation to the mayor and the Governor on Chicagofest asking them to support it and make it known throughout the State and the city that they are going to have one. That's all it does, no cost, no anything.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Dawson has moved to take from the...Senate Executive Committee Senate Joint Resolution 30 and have it placed...Senate Joint Resolution 38 and have it placed on the Order of the Calendar. Senator Dawson.

SENATOR DAWSON:

Can we go with Senate Bill...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well...wait a minute, we haven't...you've heard the...you've heard the motion of Senator Dawson. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. It's so ordered. Now, we will turn to the regular order of business on the Calendar, Page 8. With leave of the Body, we will...we'll return to Senate Bill 434, Senator D'Arco. Page 8, middle of the page. Senator D'Arco on the Floor? Alright. Senator D'Arco, 434.

SENATOR D'ARCO:

Thank you, Mr. President. This Conference Committee report was adopted in the House. It contains many of the provisions of the Senate bills that we passed out of this Body unanimously. I don't know of any opposition to this Conference Committee report, and I would ask that we adopt

it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

This legalizes prostitution and...no, I'm just kidding, no. No, this is the...well, she wanted to know what it was, I want to tell her what it is. No, this is the condominium revisions of the Condominium Act that we...we passed it out unanimously, but it died on the House Calendar when they were not able to get to these bills. But the Conference Committee report containing these provisions has passed the House. So, I...for a...we adopt this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Question of the Clerk whether this Conference Committee has been distributed. I do not have a copy of it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

I think it was distributed yesterday. Remember, Bill Harris used to say that, yesterday, remember yesterday.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Lechowicz, why don't we get back to you in just a second. Senator Marovitz.

SENATOR MAROVITZ:

Well, Senator D'Arco, is there...did you kind of sneak mandatory auto insurance on here? Is this in there...in the report?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

That's why Senator Schuneman is waving his hand trying to get recognition, because I think we got...mandatory auto

insurance is in here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

No, Bill Laurino is in here but mandatory auto insurance isn't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz, have you concluded? Senator Lechowicz.

SENATOR LECHOWICZ:

My question was whether the amendment...the Conference Committee amendment was distributed. I didn't receive a copy of it, that's why I asked. There was one in the file though.

PRESIDING OFFICER: (SENATOR DEMUZIO)

I am told the Secretary said it was distributed yesterday.

SENATOR LECHOWICZ:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill...or...Senate Bill 434. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are none, 1 voting Present. The Senate does adopt the Conference Committee Report No. 1 to...to Senate Bill 434 and the bill having received the affirmative vote of three-fifths...three-fifths of the members elected is...is effective immediately upon its becoming a law. 457, Senator Dawson. Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I ask that the Senate move to adopt Conference Committee report on Senate Bill 457. The House recesses from House Amendment

No. 3 which attempted to correct past inequities in the nursing home reimbursement system and address the professional wage and support cost underpayment to nursing homes. The Department of Public Aid is neutral on this now. There is no cost provisions in this legislation at all right now. And I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Is there any discussion? The question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 457. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt...the Senate does adopt Conference Committee Report No. 1 to Senate Bill 457 and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 459, Senator Dawson. Senate Bill 459, Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 459, I move to adopt the Conference Commission and it's already been adopted in the House on 459. The Senate concurs in the House Amendment 1 to Senate Bill 459 further amended. Prevents municipalities with fewer than a million people from having...from licensing motor vehicles utilized to transport for hire students to or from school. It also states that the foregoing is not reimbursable underneath the State's Mandate Act.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Darrow.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Darrow.

SENATOR DABROW:

Is there anything in this legislation about vehicle stickers or the purchase of vehicle stickers in municipalities of a hundred...a hundred million or whatever it is?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

That's just for vehicles transporting students. On the...licensing for them...for that municipality cars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bruce.

SENATOR BRUCE:

Senator Dawson, this says that no city in the State of Illinois under a million can license buses that transport students. Some cities are going to lose money, who's going to lose money and why are we saying to a city they have no right to license vehicles that transport children to and from school?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

I believe the problem that they were facing was that a bus company that has maybe a hundred buses in their name, and only operate with maybe six or twelve in that particular area have to license all those buses with a special license even though they do not operate in that designated area, Terry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Right, but...but this affects every municipality in the State of Illinois and says that they have no right to license buses, and that's what we're talking about. And I...what I want to know is, why are we saying that? I mean, who is it

that we're trying to...you know, someone is going to get out of a fairly large license fee, some bus company in some city. All we'd like to know is, who is it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

I personally have no bus company that I'm trying to get out of a license. It's just that when these different bus companies are located in a particular area, then they are forced to have...a special license per se, or whatever, for all their buses operating in this...that town, and a lot of them are not operating there, they are covering different areas in different small towns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and members of the Senate. I think that maybe I can shed some light. In...in my old district in Crestwood a few years ago, former Representative Huskey passed legislation which inadvertently prohibited Crestwood from licensing their buses. Just two years ago we corrected that legislation, now we're right back where we were before. Municipalities will not be allowed to license their buses, the buses that are housed in the municipality. This has nothing to do with buses that go from town to town or through the towns. It's only involved in municipalities that have bus companies who house their buses in that particular town. So, I would urge that we reject this. The Municipal League is opposed to it. They've been working for sometime to get the thing corrected as we did, I think, last year or the year before. So, we're...we're working adversely on those towns that have bus companies that house their buses in those towns, and I see no reason for this. I think we ought to reject it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Sangmeister.

SENATOR SANGMEISTER:

Well, I'm not sure...I probably shouldn't be speaking on it, but as I understand the theory behind this is, if you have a fleet of school buses, for example, you then have to go to the city and you've got to buy the stickers. Well, then when the...the...the owner of the buses contracts with the school district, he's got to add that in as an additional cost. It's really not costing him...it's a pass-through. So, then it's coming out of the school district who's going to have to pay that much more for their contract. So, that's the pass-through that they'd like to see stopped. So, I suppose the school districts would favor this, and I suppose municipalities are going to lose some income over it. It's one taxing body versus another as I see it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Dawson may close.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, as was stated, this is just...these license fees are passed right on to the school districts because somebody has to pay for it, and the school...bus companies are not going to pay for it. They just pass it on to the school districts who require their services to haul the children back and forth. So, I ask for a favorable roll call on this legislation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill...459. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 24, none voting Present. The Conference

Committee report is not adopted, and does Senator Dawson seek a second Conference Committee...be formed? And Senator Dawson asks for a second Conference Committee to be formed. (Machine cutoff)...purpose does Senator Chew rise?

SENATOR CHEW:

I'd like to have leave to become hyphenated sponsor on House Bill 1092 and...cosponsor of Amendment No. 3.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You've heard the motion. Senator Chew seeks leave of the Body to become hyphenated cosponsor of Senate Bill...House Bill 1092 and cosponsor of Amendment No. 3. Is leave granted? Leave is granted. Senate Bill 492, Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. I would ask that the Senate accept the second Conference Committee report on Senate Bill 492. Basically, the bill amends the reporting date of the Insurance Laws Study Commission. After that, it gets heavier. I would like to just make a statement and say that, really that all new commissions really don't...it isn't just all commissions are bad commissions. Of course, I might suggest that we have...in light of what's been going on, and I do mean in light of what's been going on and off, a commission to study the lighting in the Senate might be brought up. The title of this bill has been changed and is now an Act in relation to certain commissions. There are...there is additional wording that has been added, and it creates an Ambulance Study Commission. I understand that the Tribune wants that, so please come to attention and click your heels. The Governor's Office asked for changes in the membership on the State Historical Library. And actually before yielding to Senator Carroll and Senator D'Arco, who will go into the additional wording and answer the questions, I'd like to give you a bit of what Conference Committee Report No. 3 will be if we do not pass this one. This is a commission to study

commissions. It has rather a large membership since...it will start out with...it will be composed of one member from each present commission; one member appointed by each member of the House; two members appointed by each Senator; forty-seven people drawn at random from registered voters; one member selected from each...let's see, I don't know whether it means good government group or government...better just say government group or organization; two members from any group which has a political action committee; three people from out-of-state, and to be real fair, they are to be chosen at random at the State border; all precinct committeemen and women of the two major parties; all former legislators; the Lieutenant Governor will be chairman. We have a total of three thousand forty-one members. Now, we did...we deleted one classification. That classification was going to be, and they were to be included, all those whoever...ever dated a legislator, but we thought that might make it a little bit too large and make it uncumbersome...a little bit cumbersome. But remember, this was not done lightly. We've paid attention to detail, we have, you noticed, three thousand forty-one. That's to avoid the possibility of a tie vote. But to get back to the other part, I would like to now yield to Senator Carroll and to Senator D'Arco to handle the wording, the rather facetious wording of the regular report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Carroll.

SENATOR CARROLL:

Thank you. We did have one objection with the original draft. Typical of the staff who had drafted it had only a downstate perspective and they only included precinct committeemen or committeewomen. We, from Cook County, call them precinct captains, and they had not been initially included and that's why that was penciled in the draft. It's my understanding that the original introduction of the appropri-

ation for that commission was a modest thousand dollars, and by the time these amendments added up, it was nine billion five hundred and sixty-eight million, the exact amount of general revenue available for spending this year.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco.

SENATOR D'ARCO:

Steve Nash is advising me on this bill. No, there's...that's a good idea to have a commission on commissions because...I yield to Senator Zito, he wants to talk about this bill...

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Well, this is not a...a turkey. In fact, I don't even have a name for it, but it's the same thing we talked about last night creating a lot of new commissions. And I want to know from the sponsor, what is the cost? What's the price tag?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Rupp.

SENATOR RUPP:

(Machine cutoff)...D'Arco on that particular question, he's...he's the...he likes figures.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator D'Arco yields to Senator Carroll. Senator Carroll.

SENATOR CARROLL:

Senator, the actual answer is, believe it or not, there's no cost in this bill. That comes in a subsequent bill, and that's the appropriation bill. If you'll give me a second, I know that, for example, there were some additions to existing commissions of the Governor where he added some appointment membership powers and, therefore, created some additional

cost to the State for the auxiliary expenses that go with that. I would guess that you are talking about, and it's strictly a guess, around two hundred thousand dollars in this bill, including that which is the Governor's. It may be a little more, I'd have to go through it in more detail, because no dollars are identified in this report, and that would be subject to appropriation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Collins.

SENATOR COLLINS:

Yes. Now, I...even before I came here, I...I would have understood that there was no money in this bill, per se. Now, I'm...I know the process around here that the money must come in the appropriations bill. But even if it's fifty thousand dollars in this bill, that is fifty thousand dollars that we could have added to eliminating that cap off of those people who we just said only can have five hundred dollars to go to a hospital. That's what I'm talking about here. And there is created in this monster here new committees. What in the world are we talking about? The first one, as someone said, that we should pass it because the Tribune wanted the Ambulance Study Commission. Then I say, let the Tribune pay for it, because the Tribune is going to be writing their articles and making money off of the fact that we passed an income tax, a property tax back home on the City of Chicago and all other kinds of taxes. Oh, yes, that's what the Tribune are going to be talking about; and, oh, what a shame that is, and now they want a study committee, let them pay for it themselves. I said there is created a Family Laws Study Committee. What in the world for? Are we...we just going on and on and on and on and on about nothing, and I say we should kill this once and for all right now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Maitland.

SENATOR HAITLAND:

Well, thank you, very much, Mr. President and members of the Senate. Senator Collins, you're so very right. Let me suggest to the Body that just three days ago we passed on a resolution sponsored by Senator Rock and Senator Philip to create a commission to study the improvement of elementary and secondary education across this State and clearly set out the tasks and responsibilities of that...of that commission. And in conjunction with that, Senator Mahar and myself introduced a resolution to study merit pay for teachers; that, in fact, would become a part and one of the charges of that commission. And now we come with but one more commission to study the very same thing once again, and I would suggest to the Body that we, perhaps, have gone off the deep end as a result of the recent study done in Washington. We all know the problems. I believe the floor plan has been established, and I think that the creation of this commission along with all of the other commissions that are created on this Conference Committee report should be rejected.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I really beg to differ the question on this matter. This matter was discussed yesterday, the sponsor indicated that this matter lost in the House and he withdrew the motion on the concurrence of Concurrence Report No. 1. Now, today...now, today, we have the same situation, the identical report filed as Conference Committee No. 2. We have discussed this issue, and it's July 2nd, I personally feel very bad about the fact that this stuff is coming around and around and around and around. We have debated this issue in total. This Chamber has spoken loud and clear that we're sick and tired of new commissions. We're sick and tired of

gouging the taxpayers on erroneous studies and reports so that people can travel around this State and throughout this nation at taxpayers' expense. I won't even go into what the new...commissions that are being generated by this, but to say that there is no cost to the taxpayer of this State is a lie. They know it and we know it. This second Conference Committee report should be defeated, and we shouldn't consider this matter again in this Session. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President. I believe during this time of the year when we are getting ready to adjourn, is the time when all the hypocrisy comes out. I have in my hand the roll call on a commission which has public...members appointed to that body. Everyone that stood up here in opposition to this membership commission bill voted Yes. This commission that they voted on would require expenditure of taxpayers' dollars because you have public members to be appointed, and I know these public members are going to travel around the State of Illinois and pay their expense out of their own pockets. And yet, these individuals jump up here talking about we've got to save some money for the hospitals, the poor, the indigent; and yet and still, just a couple of days ago they voted Yes for this particular commission. So, as Shakespeare said...says, "To thy ownself be true." Let's tell the truth sometime when you talk about commissions. This is more...this bill, 492, is the members bill, but if you are a leader then you can get your commission and no one says anything. Let's be true to the membership and be true to ourselves once in awhile when we jump up and speak about not voting on commission bills because you're sick and tired of it, but you weren't sick and tired 'cause I see you got...got your name right on this roll call right

here, with a big Yea vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Barkhausen.

SENATOR BARKHAUSEN:

Just briefly, Mr. President and members. For the first time in my brief experience here I think we're seeing a refreshing instance in which we actually might get rid of some pork around here. I would only ask, in following what Senator Maitland said awhile ago, that questioning the...creation of a commission on excellence in education. I wonder what the School Problems Commission is concerned with, mediocrity in education? What about the Education Committee, are they not concerned with excellence in education? What about the...what about the Illinois Board of Education, are they not concerned with excellence? Just...just what in the world are we...are we doing around here? I think one of the criticisms that long-time observers of the Illinois General Assembly have had, and I think it strikes home and is correct, is that our...our committee system, our standing committees are notoriously weak and derelict in their duties, and that is because we have created a whole proliferation of commissions...which dilute and detract from the work of our standing committees. I would suggest that every...every assignment that is...we pretend to give to these committees...or these commissions could be done far better by our standing committees, that we should have, as we do in some cases, subcommittees that work during the off-season doing the work that these commissions are supposed to be doing, and the subcommittees and the committees could do it for far lesser cost without employing, and this is the key, without employing separate staff and executive directors who the sponsors of these silly commission bills want to put on the payrolls. Let's vote this turkey down.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Mine is largely and a...almost a parliamentary inquiry. I'm going to vote No no matter what, 'cause I've been trying to strengthen our committee system right along. But I am...cannot even identify exactly which piece of paper we are voting on at the moment. I have a Conference Committee report on Senate Bill 492, I have a corrected copy Conference Committee report, both on long, legal sized white paper. This says second Conference Committee report, which is normally on yellow paper and I...I don't have it. Could someone just help identify exactly which piece of paper?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Yes, Senator Netsch, our second Conference Committee report...probably some identifying marks...well, Senator, there would be...I have no identifying marks on the Conference Committee report. The one in front of you would be just marked the second Conference Committee report. It asks that the House recede from the House Amendments 2 and 3, and amend the bill further. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. On Page 7 you can tell. Down at the bottom of the page, on Page 7, if it says there is created the Commission on Excellence in Education, Article VIII, that's the second report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The identifying mark would be on Page 7, Article VIII, Section 8-1, where they create the Commission on Excellence in Education. Further discussion? Senator Rupp may close.

SENATOR RUPP:

...thank you. Just ask for a roll call. Thank you, favorable roll call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 492. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 14, the Nays are 38. The Conference Committee report is not adopted. Senator Rupp.

SENATOR RUPP:

Is that an indication they want me to go on my third conference report, was what I read before? The commission on...to study commissions.

PRESIDING OFFICER: (SENATOR SAVICKAS)

You can't. Senate Bill 513, Senator Kustra. I did announce the roll call, Senator. The roll call on that was 14 Yeas, 38 Noes and none voting Present. The Conference Committee report was not adopted.

PRESIDENT:

On the Order of Conference Committee Reports, top of Page 9, Conference Committee Report on Senate Bill 513, Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President and members of the Senate. Senate Bill...the Conference Committee Report No. 2 on Senate Bill 513 does the following: first of all, it recommends that the Senate concur in House Amendment No. 5 which sets up review procedures for joint building agreements, and that was the original purpose of the bill. The committee also recommends that the House recede from House Amendment No. 2 which was technically incorrect; from House Amendment No. 3 which mandated procedures boards should follow in closing a high school, that would be deleted; and No. 6 which provided for a senior citizen lunch program. The bill also takes the provisions of House Bill 1187, which is the State Board of Education reorganization bill, and adds it to this particular

Conference Committee. That...that bill revised the...was revising the School Code to clarify the process of school district reorganization. It was a...the result of a collaborative effort among the Select Committee on School District Reorganization, the School Problems Commission, the State Board of Education and Chapman and Cutler. That bill was designed to clarify and encourage school district reorganization. It's my understanding that that is agreed to. This Conference Committee report also contains the provisions of House Bill 626. That particular bill failed due to the addition of a Senate Amendment No. 1. That particular bill was...amended the School Code and repealed obsolete language and clarified disbursement procedures to reflect current practices. It met no opposition in the...in the...in the House. There's also a provision on this Conference Committee report which adopts the three year hold harmless on formulas for reorganized districts. This was House Bill 929, if two school districts consolidate, they shall not lose formula dollars for three years. This bill passed both Houses, so we're just doing it a second time. I would ask for...ask for a favorable roll call on Conference Committee Report No. 2 to Senate Bill 513.

PRESIDENT:

Discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senator Kustra's motion. I just want to add, however, that in a few minutes we'll get to Senate Bill 1222. There is a...an agreement that this bill dealing with the consolidation of school districts and the provisions on the same subject in 1222 both would be moved out of here and to the Governor's Desk. I support the motion to adopt.

PRESIDENT:

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Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 513. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 513 and the bill having received the required constitutional majority is declared passed, and...and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. (Machine cutoff)...Sommer. Supplemental Calendar No. 1, House Bill 542. The Conference Committee report on House Bill 542. (Machine cutoff)...Sommer.

SENATOR SOMMER:

Thank you, Mr. President. First of all, I want to thank those members of the staffs and the secretaries who had to stay here all night and didn't get any sleep typing these matters up, getting them arranged.

PRESIDENT:

Senator Sommer, I'm sorry.

SENATOR SOMMER:

The...the board is wrong, it's a House bill.

PRESIDENT:

House Bill 542. On the Order of Conference Committee Reports, Supplemental Calendar No. 1. Senator Sommer.

SENATOR SOMMER:

In...in addition, Mr. President, the Calendar is also wrong. These have been changed around somewhat. This is one of the least controversial of the appropriations bills of which we'll have nine or ten. This includes the Board of Elections, the Racing Board, Registration-Education, Commissioner of Banks, financial institutions, Commerce Commission,

Insurance, Liquor Control Commissions and Savings and Loan commission; and to my knowledge, we had no difficulty at all in...in the conference with any of these items. They're at the level proposed by the Governor.

PRESIDENT:

Discussion? Any discussion? Senator Netsch.

END OF REEL

REEL #5

SENATOR NETSCH:

Just one question for this and, I assume, the future bills. The...I gather that there is a salary adjustment...wage adjustment built into it and that it is uniform throughout all of the State agencies. Are we correct in assuming it is there and is at two and a half percent?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Yes, our policy on State agencies has been 2.5 percent with no steps.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Effective when?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

This fiscal year, 1st of July.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Just merely to amplify what...what Senator Sommer said. On all budgets including constitutional officers, the operating committees of the Legislative Branch, the policy was the same as announced, that there would be budgeted two and a half percent for pay increases. All other items as discussed in the general discussion on the taxes have been implemented against ourselves, the constitutional officers and the agencies, departments, boards and commissions under the Governor. And I would concur in support of Conference Committee Report

No. 1 to House Bill 542.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Sommer, is there any particular reason you didn't sign this report?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

I will vote...Senator Barkhausen, I will vote green on it. What was occurring last night is we were running back and forth between the Chambers, talking to members, trying to...to their concerns, and we simply...I simply wasn't present when this was signed.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President and members of the Senate. It would be quite helpful if the person who is moving the adoption of the Conference Committee report could briefly describe what is contained in the appropriation bills on these Conference Committees and at what level of funding so we know exactly the dollar amount we're voting upon, and if there's any increases above last year's appropriation level. Thank you.

PRESIDENT:

Further discussion? Further discussion? Senator Sommer may close.

SENATOR SOMMER:

These budgets are at the level established by the...the

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Governor, by the negotiators. There's no extraordinary change in these other than the pay raise from what they came out of the committee at, Senator Lechowicz. And I would urge the adoption.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on House Bill 542. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 3 Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 542 and the bill having received the required constitutional majority is declared passed. On the Order of Conference Committee Reports, Conference Committee report on House Bill 543, Senator Kent.

SENATOR KENT:

Thank you, Mr. President and members of the Senate. I would like to yield at this time to Senator Sommer.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is a voluminous report containing a large number of agencies, many of which are like the...the previous bill. I will be happy to point out to the members, if they wish, what extraordinary items are...are included in here. Briefly run...Medical Center Commission, DCCA, Central Management Service, Industrial Commission, Capital Development Board Operations, Bureau of the Budget, Revenue, Civil Service Commission, Metro Fair and Expo, Labor, Transportation, Court of Claims, Arts Council, Human Rights, Human Rights Commission, General Assembly Retirement, Judges Retirement, State Employees Retirement. I'll be happy to respond to any questions.

PRESIDENT:

Discussion? Any discussion? Senator Carroll.

SENATOR CARROLL:

Just, again, one comment in line with Senator Lechowicz's question, and we apologize. Having worked on it all day, we forget what others do not know. The...the sum and substance of all the Conference Committee reports of all the boards, agencies, commissions, constitutional officers and everything else will provide that we will spend within the general revenue funds available if the Governor were to sign each and every bill into law as voted upon and presented by the General Assembly. We have limited the appropriation almost to the dollar, and we think we are literally within one million dollars out of a nine billion six hundred million general revenue allocation. We will limit our suggestions to the Governor of what is of...what can be spent to the revenues that the Executive and legislative leadership have agreed are available for spending, and that alone would be of historical significance.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Collins.

SENATOR COLLINS:

How much new increase in the appropriation in this budget for the Arts Council?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

There's an increase for the Arts Council, Senator Collins, of about 3.5 million.

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Well, I'd just like...that was my...going to be my question, but I'd like to follow that up further. How can we justify an increase from fiscal year spending of two million fifty-seven thousand dollars for the Arts Council to, now, the Conference Committee report of, you correct me if I'm wrong, five million four hundred and ninety-two thousand, an increase of 3.4 million. How...how do we justify that...when we're...when education and mental health institutions are closing and people can't eat and sleep, what...how can we justify increasing that kind of revenue for an Arts Council budget?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Oftentimes, cultural...events are as important as...as many of the other things that we spend money on. We're not talking about human services necessarily. We're talking about hundreds of other items, buying typewriters, what have you,...they're important also. And you must remember that we don't necessarily agree to these things ourselves in all cases but they get placed in these...these budgets and that's what happens.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

What kind of motion would be in order to separate the Arts Council from this House Bill 543 so that we could vote on that separately?

PRESIDENT:

There...there is no division of the question on a Conference Committee report, Senator. The report is to be accepted or not accepted. Further discussion? Senator...oh, I beg

your pardon, Senator Watson.

SENATOR WATSON:

Well, then I think we ought to vote No and send it back to Conference Committee and separate it out. I urge a No vote on this...on this bill.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. A question of the sponsor regarding two other items in here.

PRESIDENT:

Indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

One, Senator, is the Department of Commerce and Community Affairs. Looks like there's a big increase in the budget, but I assume a lot of that is allowing them authority to spend Federal money and pass-through money. Could you indicate how much would be in that category and how much actually represents new programs in...if any, in the department?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Approximately thirty-three million of that is Federal money.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Are you telling me that...then, apparently, there's an increase of two hundred...total increase of two hundred and fifteen million and only thirty-three of it is an appropriating pass-through money? Are we...are we really raising our support of the activities of that department by that difference?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

I'll...I'll answer your question another way, you're talking about DCCA. General revenue funds in DCCA amount to fourteen million dollars. That's up from the last year's expenditure of about eleven million. Most of that is matched for various Federal funds. We're about three million up on DCCA in our own money. The rest of this is all Federal money, Federal reappropriations, Federal...it's not ours.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

That...that was my question. So...so, the actual match money then is up about three million. Then, in one other agency,...no, I guess that answers my questions. Thank you, very...

PRESIDENT:

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. What...what is this three million dollars in the Arts Council going for, do you have any idea?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

The cultural environment, Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

On what side of the street is that?

PRESIDENT:

...Senator D'Arco.

SENATOR D'ARCO:

Is that from Willmette or is that from the west side of

the City of Chicago?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

I think it has a definite west side tinge, Senator D'Arco. I can assure you none of this money is coming in my district.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well, I don't know if it's coming into my district either, you know, and I just can't comprehend why we're doing this. I remember I had a...a young artist who did wood sculptures, and I...and he said to me, how do I get going here. I said, well, let me call someone at the Arts Council, and it...in fact, I have three or four of his sculptures in my home. I said, let me call somebody, maybe we can get you, you know, some commissions or get something going for you, right? And they referred me to the Chicago agency and they referred me to this agency and that agency. I think if you don't belong to a select group of people, you know, and the proper organization and have the right last name or something, you don't get money out of this Art Council.

PRESIDENT:

Further discussion? Senator Darrow.

SENATOR DARROW:

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

PRESIDENT:

Indicates he'll yield, Senator Darrow.

SENATOR DARROW:

Calling your attention to Page 91, the appropriation for the Downstate Public Transportation Fund. How were those sums calculated?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Could we look for this document...you know, you've just hit us with a page number and we got a bunch of documents here. Maybe you could ask your question and we'll respond to that.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Well, I had legislation along with a number of downstate legislators who are concerned about this item in which we were attempting to raise it from one thirty-second to two thirty-second and a forty percent State subsidy. That legislation is currently over in the House for concurrence. Am I to believe, therefore, with these figures, we might as well forget about that legislation, that it's dead, you're going to give us this amount of money based on one thirty-seconds and we're going to forget about Peoria and Tazewell County and the...rest of the State?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Senator Darrow, it's my understanding that there will be no increases for downstate mass transit, is that what you're saying? I mean, I'm not intimately involved with this thing but I...I don't think...there's...there's...there are no additional dollars in that. We have not yet reached a subsidy agreement, that's probably pending for the fall Session.

PRESIDENT:

Senator Darrow.

SENATOR DARROW:

Well, if the dollars aren't there, there's no point in having an agreement. We're going on the old...old...old formula and that's it, take it or leave it. So, we're ending up

with...with very little money, and...well, we've defeated RTA today so I...I see no point in ever voting for that sort of thing. Thank you.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

One...just one question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Your totals in House Bill 543 for the different agencies, those are not the complete totals for...let's take the Department of Transportation, for example. What you've got here in the Department of Transportation, is this in addition to what they're going to get or is this the total budget? I can't...can't imagine...

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

It's difficult to tell from your question what you're reading, Senator...Geo-Karis, you're just saying, you know, what is this.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

I'm looking at Conference Committee analysis, Bill No. HB543, I think I'm on the right one. And on Page...2...the pages aren't...numbered, but anyhow, it's Page 2 in the middle of the page it says, "Transportation, new." Now, is those...are those additional amounts to the ordinary Department of Transportation budget?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Up at the top are some little, little letters that make words, and what they say is '83 spending, and you look down here and there it is. That's what we spent this past fiscal year. The next one is what it was introduced at. The next one is what the Conference Committee decided at, and at the end is the increase, out at the end on the right side.

PRESIDENT:

Senator Geo-Karis.

SENATOR GEO-KARIS:

I...I understand that, that's not my question. My question is, whatever is reflected on this conference report, this does not mean that's the total sum allocated, for example, to the Department of Transportation, that's what I want to know.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

You're correct on that. We have a transportation reappropriation bill of projects not yet paid out. Senator Coffey has that bill later, I believe.

PRESIDENT:

Further discussion? Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. One of the inferences that we heard in every talk, I believe, as far as the budget was concerned, that this was a people budget, it was for the...that respond to the folks and help those who needed help. It was a...definitely a budget for the people. In that budget I happened to notice that there were two reductions. One was for fifty-seven thousand five hundred dollars in the human rights, and the other was for two hundred and twenty-five thousand dollar reduction in the Human Rights Commission. I called the...that to the attention of some people. I see that part of that has been corrected, but even under this

people budget, how come you have a minus, a reduction, of sixty-nine thousand dollars in the human rights area?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Senator Carroll will respond to that.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

They had...yes, thank you, Mr. President. Senator Rupp, they had inadvertently budgeted for rent, they no longer pay rent once they moved to the State of Illinois Building. They had been paying rent when they were elsewhere, and when they moved into the State of Illinois Building, they should not have been continuing the budget for rent.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Well, could you...do you also have right at your command what was the original intent of the two hundred and twenty-five thousand dollar reduction? I think the only reason it probably got put back in was because there was enough noise made to do it. It just didn't seem that we were reflecting what some of the people on their feet were saying.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

I...offhand do not recall what the two hundred thousand reduction may have been. It may have been...there was some question on new employees at one time, and there was an answer that they get back Federal dollars depending on how many cases they handle so that that money, which BOB had okayed, was put back in, that I recall. I don't know if that was the two hundred or not. But the other item was the rent.

PRESIDENT:

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I have a question of the sponsor.

PRESIDENT:

He indicates he'll yield, Senator Coffey.

SENATOR COFFEY:

I don't have a page number here, Senator, but do we have here in this bill the appropriation of the seventy-five million for the subsidy for the public transportation for the RTA?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Yes, sir.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Also, on the Series A Bonds for fifty million dollars for mass transit capital projects, is that...why we're...who is going to pay for that fifty million dollars, is that also out of the Road Fund for that...the pay backs on those bonding?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Well, the...the bond authorization is coming up in a later bill, maybe you'd want to talk about it there.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Well, I realize the authorization is coming along, but it's something I think the members of the General Assembly ought to be concerned while they're voting for this package

on those two issues. And then, onto the next page where we see some special addition projects that have been entered in...was those House amendments? Then we got...here's 9.8 million dollars for a road in Rock Island, seven million in Lake County, three million in Bureau County, 6.7 million in DuPage County, 9.8 million in Cook County, 3.3 million in Cook County. Is those additional amendments that's been added on there? There is one for you downstaters. I probably ought to mention there's one in there for two hundred and fifty thousand dollars down in Union County, so there is some money that goes downstate on those projects. But is it...was those special amendments that was put in by the House?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Yes, sir.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

I would just like to point out to the members, there's about forty million dollars here in special projects that, as far as I'm concerned, downstate is not considered, with the exception of the two hundred and fifty thousand dollars. I think that we ought to also be careful in supporting something that very few dollars, as I had said earlier, it looks like it's going to come downstate.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President and fellow Senators. I want to clear up some misconceptions that, perhaps, have been voiced at...at least for the record. We have a letter from the Governor, notwithstanding that seventy-five million that the

prior speaker mentioned, can't be spent, can't be spent without 1805. And one of the prior speakers who's concerned about downstate mass transit, that authorization doesn't move without 1805. We knew that when we sent it out of here. If you look at the mass transit...downstate mass transit portion, it tracks right out to the equivalent of one thirty-second of these taxes. So, I...I think we ought to keep that in mind and...and have the record cleared up in that respect. I do share the other speaker's concerns about the Arts Council, however.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would imagine that this Conference Committee and other Conference Committees will probably be...could be a cull like the art of packaging, and the packaging as far as what items effect certain people and, hopefully, that there will be enough good items to carry the bad. But, no, in reality, I believe in all fairness, the membership should be informed exactly what's contained in this Conference Committee report on House Bill 543, what agencies are there and the increase in expenditures out of General Revenue Funds. This goes back to the premise, the bills as introduced and as finally being passed by this General Assembly. And I'll just take the time...I'll just take the time now to briefly inform the membership of exactly what's contained in 543, the general revenue expenditure, the increase, and then you make your own determination. Medical Center Commission, General Revenue Funds as introduced, hundred and twenty-six thousand three hundred; Conference Committee, hundred and twenty-four thousand six hundred, minus eighty-one thousand nine hundred as far as less in General Revenue Fund expenditure. Commerce and Community Affairs, eleven million five hundred and eight

thousand seven hundred; Conference Committee recommends fourteen...I'm sorry, eleven million five hundred and eight thousand seven hundred fourteen million four...four hundred and seventy-two thousand is the Conference Committee recommendation, or an increase of three million one hundred and thirty-three thousand dollars. Central Management Services as introduced by the Governor, a hundred and twenty-nine million seven hundred and forty-four thousand two hundred; Conference Committee recommends a hundred and forty-nine thousand seven hundred and seven...five hundred dollars. In that change, increase sixteen million six hundred and eighty-three thousand five hundred dollars. Industrial Commission as introduced, four million four thirty-one; Conference Committee, four million five fifty-one, an increase of a hundred and twenty thousand. Capital Development Board, four million fifty-one thousand two hundred; Conference Committee recommends four million eighty thousand five hundred; increase ninety-five thousand General Revenue Funds. Bureau of the Budget, two million two hundred and fifty-one thousand, as introduced; Conference Committee, two million four hundred and twenty-six thousand, and that increase, two hundred and nine thousand dollars General Revenue Funds. Revenue Committee, six hundred and fourteen million fifty-five thousand, as introduced; Conference Committee recommends six hundred and thirty-four thousand two hundred and sixty-one thousand dollars; increase, two hundred and twenty-eight thousand thirty...two hundred and twenty-eight million. Civil Service Commission, three hundred and two thousand one hundred, as introduced; Conference Committee recommends three hundred and eleven; increase, twenty-three...still take a lot of time, just bear with me. A Metropolitan Fair and Expedition Authority, as introduced, four million eight hundred thousand; Conference Committee recommends four million eight hundred thousand. Labor,

sixty-nine million three hundred and eighty-five thousand; Conference Committee...now this is out of General Revenue Funds, recommends nineteen million four hundred and sixty-one thousand, or a net loss out of general revenue, forty-nine million dollars. Transportation, new...and this is what Senator Geo-Karis...Senator Geo-Karis was referring to, a...as introduced, fifteen million two hundred and forty-six thousand seven hundred; Conference Committee recommends twenty-three million nine hundred and ninety...nine hundred and ninety-nine thousand four hundred, or an increase of five million seven hundred and forty-four thousand dollars. Court of Claims, as introduced, three million nine hundred and two thousand; Conference Committee, three...three million nine hundred and seven thousand, or a decrease of three million eight hundred and seventy-seven thousand dollars.

PRESIDENT:

Senator...pardon me, Senator Lechowicz.

SENATOR LECHOWICZ:

Arts Council...

PRESIDENT:

Pardon me, Senator Lechowicz. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

...thank you, Mr. President, a point of order. We all have that information, we can all read. It's getting late in the day, we've been here a couple of extra days, and I think it's unnecessary and out of order.

PRESIDENT:

Alright. Senator Lechowicz.

SENATOR LECHOWICZ:

Well, that's his opinion, but I don't believe every member of this Body does have this information. Well, we don't have it on this side; and as far as the Arts Council, it was introduced at two million eight hundred and

eighty-eight thousand; now, the Conference Committee recommends five million four hundred and ninety-two thousand, or an increase in General Revenue Funds of three million four hundred and thirty-five thousand dollars. Human Rights is two million seven...eighty-eight thousand, as...as...Conference Committee recommends two million seven. Human Rights Commission, three hundred and seventy-seven thousand, as...Committee recommends four hundred and eleven thousand, or an increase of fifty-three thousand dollars. I just want to point out to this membership that this art of packaging I don't believe will go in this General Assembly. I believe that there are certain issues that have to be addressed on a specific one-to-one basis; not saying that they may not need the additional increase, but the increase that is requested is way out of line. This goes back to the foundation that government spending rises to the revenue, and that's exactly what's happening is this Conference Committee report, and I recommend a No vote.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. I...I think Senator Philip's earlier discussion was...was very apropos, and we are making available...we thought that they were available, but we are making available to this side of the aisle all of those same things that the Republicans have. We thought that they were already there. I would just point out to the membership, the reason the bills were packaged this way is because we did them by subject matter. This particular one happens to be operation of State Government, and then...then we had operation of human services, we had education, we had capital development, et cetera. We have just done the calculation of where we are in the budget. We, as a matter of fact, are over the Governor's budget recommendation in general revenue

by two-thousandth of one percent. Now, the bottom line is, we are within one or two million dollars of the Governor's total bottom line GRF. I think that is rather significant, and we have stayed within our revenue estimates. We are making available to the members of this side of the aisle all of the figures that Senator Lechowicz just read off; so, hopefully, it won't be necessary for him to read all of them off on the next bills. And I would suggest that we ought to vote this bill out of here. It's not perfect. I sat from ten o'clock yesterday morning until three o'clock this morning working on this. We left the room last night about one twenty-five and then I went over and stuck my nose in somewhere else where some more folks were talking. There is not one bill in this whole package that all of us, including those of us who were working on it, are completely happy with. I lost my temper probably, oh, about five times that I displayed, and about another twenty-five times that I did not display during the course of the day. We had people walk out, we had people come in, we had people leave, we had people go to eat, et cetera. It's the best that we could do, folks, and I would suggest an Aye vote.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, I think I'd...like to echo Senator Buzbee's last speech, and I...I guess I'll speak particularly to this side of the aisle, but since the mike works on both sides, I guess you'll all have to listen. I think the budget probably is in pretty good shape with the number of dollars available. In my eleven years down here, I think this is as close as I've ever seen a legislative budget reach the Governor's Desk with the, you know, the bottom line of the Executive Branch. There are portions in virtually every one of these budget bills that Senator Sommer or I, or one of us at least,

objected to. Probably given our druthers in the normal appropriation process, which I prefer, which is department by department we would probably raise a stink and...and urge obstreperous behavior. The simple fact of the matter is, we are nearing the Fourth of July, we have a responsible document in front of us, and there are portions of it that probably, if we had our druthers, we'd change. I don't think we're going to get our druthers. I would suggest to you, unless you're aware of some things I am not, that the better course of wisdom and responsible government at this stage in the legislative process is to send to the Governor the most responsible budget this General Assembly has assembled in over a decade, 'cause when these things...if they go back to Conference Committee at this stage of the game, they generally don't improve.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

The last quickie, and this is not a kick at the four horsemen who have done an excellent job on our side, I just want to make one snide comment...with a mouthful of pork. The guy who killed all the appropriations bills, the Speaker of the House, is the guy who wants three plus million more for the Arts Council and carefully put it right in the middle of an appropriation bill, part of which bears some tremendous merit. The four horsemen have done a heck of a job. The Speaker of the House has stuck it to every member of the Legislature, and would like us to reward three additional million dollars for him to show off to some of his friends. Perhaps we might send him a message.

PRESIDENT:

Further discussion? Further discussion? Senator Sommer, do you wish to close?

SENATOR SOMMER:

Just briefly, Mr. President. Any amount of GR in these nineteen bills, outside of the Arts Council issue, that...that is over...you will notice that some were under, some are over...really relates to three items: It's the health insurance policies for the State employees and it's something that we agreed we'd pay for; it's revenue sharing for the communities, it's part of the agreement again that they would get their revenue sharing out of this; and it's also relation to the unitary tax appropriation which we did not make last year. That's the reason for the overages on these. The Arts Council is an unfortunate thing, it's something that I certainly didn't agree with. The Speaker of the House had us in a position that...that it was simply there and there was nothing we could do about it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in strong support of the Conference Committee report on House Bill 543. And I think lest there be any misapprehension or any misinformation, let me suggest to you that I was the one who sponsored the Arts Council funding bill at last year's level when the doomsday budget had not nickel one in for the Arts Council. And I believe in the Arts Council and its work. And I can also tell you that the idea for the increased funding did not initiate with the Speaker of the House. The Governor of the State of Illinois made a commitment, I suggest to you, to the chairman of the Illinois Arts Council that if, in fact, there was additional revenue available that we would bring Illinois...he would bring Illinois, with our help, to a level of funding that is twenty-five cents per capita, and we're trying now to bring it to fifty so that we are at least less of a barbaric society than we have been in the past. Fifty cents a head

for Illinois residents for the Arts Council. New York is way above us. It's not a big deal, not a big expenditure. It's very important, very important. It fulfills a commitment that was made to the arts community in this State. Senator D'Arco, I'm not sure where all that money is going to go either because it has to be applied for. There are no preconditions, with the sole exception, I think, of the Chicago Symphony, who certainly deserves all the support we can give. But I think, as was rightly pointed out by some others, nobody is particularly pleased with any of these budgets. Nobody was particularly pleased to have to vote on an Illinois Income Tax increase either, and we did that at the eleventh hour. And through the Herculean efforts of the men on the appropriations staff and the staff, we're able to at least, on Saturday afternoon, to get on with the business of funding State Government. I had a call awhile ago from the Comptroller of this State. I'm sure everyone is painfully aware that there is yet no authorization for the Department of Public Aid, and all those folks who are going to be looking for a check on Tuesday are going to be sadly, sadly disappointed because there is no authority to issue public aid checks. And so, while we're all having a very happy Fourth of July, I hope, there are going to be people whose actual lives depend on the fact that they're going to receive a check on Tuesday and it's not going to be there 'cause we're nickel and diming around with an Arts Council and let's send the Speaker a message. Let me tell you something, the House of Representatives has passed on each and every one of these ten appropriation bills, and we ought to get on with them. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? The question is, shall the Senate adopt the Conference Committee report to House Bill 543. Those in favor vote Aye. Those opposed vote Nay. The voting

is open. Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 15, 3 voting Present. The Senate does adopt the Conference Committee report on House Bill 543 and the bill having received the required constitutional majority is declared passed. Senator Buzbee moves...Senator Buzbee. Alright. Senator D'Arco.

SENATOR D'ARCO:

(Machine cutoff)...five million dollars, bullshit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Whoop. (Machine cutoff)...D'Arco, do...do you...alright, Senator D'Arco has requested the verification of the affirmative vote. Is...are you joined by any additional members, Senator? Senator Keats, alright. Senator Buzbee, for what purpose do you arise? Alright. The members will be in their seats. There is a request for a verification. The Secretary will read the affirmative votes. Mr. Secretary.

SECRETARY:

The following voted in the affirmative: Becker, Berman, Bloom, Bruce, Buzbee, Carroll, Chew, Davidson, Dawson, DeAngelis, Demuzio, Egan, Etheredge, Fawell, Geo-Karis, Grotberg, Hall, Holmberg, Kelly, Kent, Lenke, Macdonald, Mahar, Maitland, Marovitz, Netsch, Newhouse, Philip, Sangmeister, Savickas, Schaffer, Smith, Sommer, Vadalabene, Weaver, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco, do you question the presence of any member?

SENATOR D'ARCO:

Yeah, Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse on the Floor? Senator Newhouse on the Floor? Strike his name.

SENATOR D'ARCO:

Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz is in the back of the Chamber. Senator D'Arco, do you request...alright. On that question, the Ayes are 36, the Nays are 15, 3 voting Present. The roll has been verified, and the bill having received the...the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Buzbee.

SENATOR BUZBEE:

Mr. President, having voted on the prevailing side, I move to reconsider the vote by which...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Buzbee moves to reconsider the vote.

SENATOR BUZBEE:

...the Conference Committee report to House Bill 543 was adopted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll moves to Table. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion will lie on the Table. House Bill 888, Senator Sommer.

SENATOR SOMMER:

...Mr. President and members, first of all, I apologize, when we started, we didn't realize the folks over there didn't have these...these explanations. This one should not be so controversial, it's more like the first one. It includes the following agencies: Agriculture Conservation, Energy and Natural Resources; Environmental Protection Agency; Historical Library; Mines and Minerals, and the Pollution Control Board. Before we begin debate, I would like to ask leave to...to insert a few words on Page 16, line 4. I would like to ask leave to insert "from the Agricul-

tural Premium Fund" prior to that. The House did this on its face and, therefore, we...we would ask leave so the bills will be concurrent.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is leave granted? Leave is granted. Senator Sommer, proceed.

SENATOR SOMMER:

I would be happy to respond to any questions at this point and time.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President...only to the point that we still don't have those explanations on this side.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Well, I'm sorry, I apologize to the Democratic membership, they are, in fact, being run off and they will be available in just a very few minutes. If...if...well, if you would like,...

PRESIDENT:

Just go through it.

SENATOR BUZBEE:

Alright, we'll go through it. This is a fairly short one, unless Senator Sommer would prefer to...but...alright. The Department of Agriculture is at...GRF...I assume GRF is the only thing that you're really interested in hearing as of this moment, is that correct, or do you want to hear all of it? Alright...GRF is a twelve million eight hundred twenty-one thousand, it's up two hundred ninety-six thousand two hundred thirty-six dollars...over the amount as introduced. Conservation, and GRF is at twenty-seven million four hundred and ninety-one thousand eight hundred dollars, it's up four

million eight hundred forty-nine thousand dollars as introduced. Energy and Natural Resources is...I...I beg your pardon, not as introduced, over FY '83 spending. Not as introduced but over FY '83 spending. Energy and Natural Resources is at twelve million eighty-nine thousand dollars, up two million sixty-five thousand over the amount as spent in FY '83. EPA is at ten million seven hundred sixty-seven thousand, up one million three hundred thirty-three thousand dollars. Historical Library, one million seven hundred eighty-one thousand, up ninety-one thousand dollars. Mines and Minerals, two million eight hundred ninety-four thousand, up two hundred ninety-four thousand dollars. Pollution Control Board, eight hundred and fifteen thousand, up one hundred and seven thousand. House Bill 88 totals...total amount in GRF, sixty-eight million six hundred sixty-two thousand, up nine million thirty-eight thousand dollars over FY '83 spending. And that's the total of what's contained in Conference Committee Report No. 1 to House Bill 888.

PRESIDENT:

Discussion? Senator Grothberg. Alright. Senator Lechowicz.

SENATOR LECHOWICZ:

Question of the sponsor.

PRESIDENT:

Indicates he'll yield, Senator Lechowicz.

SENATOR LECHOWICZ:

Is...in this Conference Committee report, is there any money for the DuPage County Fair at a hundred and fifty thousand, or the Back of the Yards County Fair at a hundred thousand? At what level...are those...two correct figures?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

I overheard Senator Carroll saying no, so perhaps he

would want to respond.

PRESIDENT:

Senator Carroll. Senator Buzbee.

SENATOR BUZBEE:

It's a hundred and fifty thousand dollars for the DuPage County Fair and a hundred thousand dollars for the Back of the Yards, that's out of Ag Premium Fund.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, are there any additional monies for any of the other county fairs in this State?

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Yes, there are, and as a matter of fact, Senator Sommer has...has to make a motion on this in just a minute for two fairs that are being created that are presently not having county fairs. That is the Massac County Fair and the Gallatin County Fair, and those, I believe, were thirty-five thousand apiece....pardon me, thirty-two thousand apiece.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, you know, I really consider the rest of this bill pretty good, and it's a matter of priorities. Now, we discussed this matter, as far as the county fair funding, and it got beat. You know, it's just not fair. It's not fair to the other...county fairs in this...State who have not been heard and who do not receive an appropriation. And now we have two people from the other side of the aisle decide that, well, yeah, we'll...we're going to take care of DuPage County and the Back of the Yards, and screw everybody else. And, no, I don't have anything against the rest of the bill. I

think everything is in line, I just don't care for that concept and I'll be voting accordingly. Thank you.

PRESIDENT:

Further discussion? Senator Carroll.

SENATOR CARROLL:

Yes, just to explain to Senator Lechowicz, I think you are, in part, in error. These were not discussed in the Senate Committee or...and defeated there at all. What, in fact, to my recollection, was discussed was the rebuilding of various State fairgrounds which was, in fact, defeated in both committee and Conference Committee. As everyone comes in and asks us to rebuild their fairs, we told them years ago we subsidize operations affairs but they've got to insure their buildings, and in the same...we did in the Conference Committee as we did in the Senate Appropriations Committee, and did not fund any of those requests whatsoever. These were operating requests consistent with the operating requests we do for other counties.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

A point of order, Mr. President, is that the substantive bill was defeated on this Floor...Back of the Yards and DuPage County.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Senator...Lechowicz, I think you're half right. The bill was pulled out of the record, I don't think we ever voted on it.

PRESIDENT:

It's on the...it's on the Calendar. Further discussion? Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, I would only point out that in the Conference Committee, the DuPage County Fair and the Back of the Yards were...had bipartisan support. Obviously, the Republican leader in the Senate and the Republican leader in the House are from DuPage County. They had requested that they have a fair in their county, and it had Democratic support also. The Back of the Yards was the...the carrier of that request was a Democrat in...in the group that met in here the other day. As far as the Massac County and the Gallatin County Fairs, that's in Senator Johns' and Representative Winchester's district, and...and Representative Winchester was the one that was in asking for it. We thought it was only right all of the counties get a small subsidy for operation, and that was granted. That's what happened.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on House Bill 888. Senator Buzbee.

SENATOR BUZBEE:

On a point of order. We've got to amend this bill on its face...we've already done it? Beg your pardon.

PRESIDENT:

Yes, I think leave has already been granted. The question is, shall the Senate...Senator Rupp.

SENATOR RUPP:

Mr. President, may I ask how come we could amend this on its face and we couldn't touch the Arts Council?

PRESIDENT:

With leave of the Body. Alright. The question is, shall the Senate adopt the Conference Committee report on House Bill 888. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 6 Nays, 1 voting Present. The Senate does adopt

the Conference Committee report on House Bill 888, and the bill having received the required constitutional majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Weaver has asked to momentarily pass over 374. 378, Senator Bloom. Conference Committee report, Page 2 on Supplemental Calendar No. 1. Conference Committee report on Senate Bill 378, Senator Bloom.

SENATOR BLOOM:

I think this is one of the ones that Senator Schaffer and Senator Sommer worked on, so, it would, perhaps, be more helpful if they explained it.

PRESIDENT:

Alright. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Well, I guess that it's a point of personal privilege. I would ask...I would...to ask Senator Weaver why is he passing over 374?

PRESIDENT:

He said he'll get right back to it. Senator Hall.

SENATOR HALL:

Well, I...I hope you get to it very soon. I...I'm sitting here voting and, you know, this voting is awful close up here. And I see where I've had a hundred and twenty-five thousand eliminated out of your bill, and we haven't gotten one thing. Now, if you're going to hold that bill to that, then I'm going to stop holding my votes off over here. And I want to know where that money is going.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, I...I think, frankly, I...I haven't had a chance to talk to Senator Weaver. I just think we called his name and

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he hadn't seen this voluminous document, and I think he'd like to have a couple minutes, which I don't think is terribly unreasonable. Senate Bill 378 is now the recipient...finally got a chance to do it to Bloom, he's now sponsoring the budget of the Department of Public Aid. Happened to me once, Prescott. In addition, the Department of Veterans' Affairs, the Department of Public Health, Dangerous Drug Commission, Guardianship and Advocacy Commission, Department of Aging, Department of Children and Family Services, the Department of Mental Health and Developmental Disabilities, the Department of Rehab. Services are all included. This isn't...for total...the Conference Committee total, GRF and Federal is four billion two hundred and twenty-four million dollars, of which GRF is three billion seven ninety-six four nineteen, and the allocations generally reflect those allocations that came out of the compromise tax proposal negotiations at the highest levels. I'd be happy to answer any questions.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 378. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 44 Ayes, 5 Nays, 2 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 378, and the bill having received the required constitutional majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. On the Order of Conference Committee Reports, Conference Committee report on Senate Bill 384, Senator Mahar.

SENATOR MAHAR:

Thank...thank you, Mr. President and members of the Senate. Since Senator Sommer and Senator Schaffer worked on this and I just now...was handed the breakdown, I'll ask that Senator Sommer carry on.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this bill includes the elected officials with some other things. It...it...it includes the elected Attorney General, it includes the Auditor General, includes commissions, it includes the Comptroller, the Governor, Lieutenant Governor, State Appellate Defender, Secretary of State, Supreme Court, Treasurer, General Assembly, Judicial Inquiry Board, State's Attorneys' Appellate Service Commission. Those are the items in this particular thing. If you have your passouts over there, we'd be happy to respond to any questions you might have.

PRESIDENT:

(Machine cutoff)...we're on the Conference Committee report on Senate Bill 384. I understand the documentation has now been properly distributed. Senator Keats.

SENATOR KEATS:

Mr. President, a few minutes ago you were talking about getting on with business. Where the hell is the leadership protecting the membership? Every stupid commission, sixty-four of them listed, all this stuff in one. Where was the leadership protecting the membership? We're trying to go along with the program and you just junk everything into one bill. Take it or leave it on your recommendation or not at all. You know, there comes a time, if you want us to be troops, you got to be a leader, and you know...and I'm not talking to you necessarily, personally, Phil, but you guys know what your membership wants and doesn't want. You junk it all together, put it in one big bill, everything, take it

or leave it. Well, you know what? You can keep it.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDENT:

Indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

On the agencies that are being funded, the increases seem to be fairly consistent with the...with two exceptions. One being the Attorney General and the other being the Supreme Court. Within a million or two, what's the reason for the increase in the Supreme Court?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President. Senator, the basic increase is for the program that we, the General Assembly, passed to fund probation officers. That funding mechanism is through the Supreme Court, and that was an expensive program. That's the basic increase for that.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

How much was that?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

I really don't recall. My only recollection, Senator Schuneman,...I mean, there were price tags at all levels, and I think we just literally put in a figure to start it off. My best recall on the court system is that the additions thereto were minimal other than some computer terminals. They are computerizing their opinion writing and they're

allowing for the flow of information between the court system. I don't recall any other major increase. Maybe Senator Sommer does.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, the second portion of the judicial pay raise goes into effect July 1st, and I think that this is reflected in there also.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Yeah, I think so too. On the Attorney General, Mr. sponsor, apparently that's up some three and a half million dollars. What...why...why...can you explain most of that increase?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Let me explain, if I can, Senator. Basically, again, two areas. One was an expansion of programs, if I recall, somewhere in the neighborhood of about two million dollars amongst three programs. Secondly was a reclassification of the entry or lower level of the professional staff, the attorneys, and a...a change in classification. He was then, like all other constitutional officers, limited to two and a half percent increase but was allowed, as were all constitutional officers, offered to reclassify, and he asked to reclassify the entry level because it was significantly lower than the Governor and other agencies were paying for entry level attorneys.

PRESIDENT:

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Well, I think Senator Keats dramatically made the point. I...I think this is our...our chance in the proceedings to actually save several million dollars by cutting out certainly not all but most of these commissions, including several of them for which money is appropriated in this bill, which twice today we failed to authorize. I think both times votes for the commissions were...got about eleven votes, and I think that is, at most, that's about as many votes as this particular Conference Committee deserves.

PRESIDENT:

Senator Collins, there are five other members who have sought recognition prior to you. Senator Collins.

SENATOR COLLINS:

Yes, thank you. I'm...I'm rising on a point of procedure. Now, my concern about this report is...is whether or not the Conference Committee report with all of those commissions that most of us objected to creating those commissions...the appropriation is in this bill, but if that bill has gone to a second Conference Committee, can that bill be resurrected again? That's all I want to know.

PRESIDENT:

No.

SENATOR COLLINS:

So, there's no way at this point in time that these commissions can be funded. In other words, can they come back again? That's my question.

PRESIDENT:

Well, I'd be less than truthful if I did not readily admit that there...as long as we are sitting here and we are open for business and the other Chamber across the Rotunda is open for business, that possibility exists. Senator Collins.

SENATOR COLLINS:

If...if we pass this Conference Committee report and at some other point that...those commissions...increased commis-

sions are passed, then they will be effectively in the law and here's the money to fund them, is that correct?

PRESIDENT:

Yes. Senator Collins.

SENATOR COLLINS:

Then I would move that we amend this Conference Committee report on its face so that we can get out of here and deal with the business of operating State Government and take those increased commissions out on its face of this Conference Committee report.

PRESIDENT:

(Machine cutoff)...Senator Sommer.

SENATOR SOMMER:

You got ahead of me, I happen to agree with you. Let's send this bill down the chute and tell the folks who want to put all this extra money and all of these commissions that enough is enough.

PRESIDENT:

Senator Buzbee.

END OF REEL

REEL #6

SENATOR BUZBEE:

Well, Senator Sommer, may I respectfully suggest an alternative. Senator Sommer, we can't amend it on its face now because the House has already taken action on this bill...as it is. Let me suggest this, that we go ahead and pass it as is; if the...if the authorization for those other commissions is defeated in any form that it comes back, that money can never be spent. And so that we can...we're going to get into a paper shuffling hassle here if we go ahead and defeat this bill at this point, Senator Sommer, and I would just suggest that we go ahead and...and pass this bill as it is, kill the authorization bill for those new commissions and the money can never be spent then in this bill.

PRESIDENT:

Further discussion? Senator Bruce.

SENATOR BRUCE:

..maybe it's been asked and I have not heard it, but I would just like to know how much is in this bill for new commissions, and how much is in this bill for old commissions increased?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

The increase is approximately one million seven hundred thousand, Senator Bruce, which I do not support, by the way. And we've only had two new commissions, as I understand it, that...that are authorized at this point by the General Assembly; the Scott Lucas Memorial Statue and the...the Adelberg Roberts Memorial.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Well, I...I am told that within this bill there's about a million one hundred thousand dollars for newly created commissions, some of whom have not been newly created, alright? And then there's about six hundred thousand dollars worth of increase, which is only about four percent. So, I...I don't have any objection to the old commissions who have had to increase by four percent their budgets. My objection is to a million one hundred thousand dollars of new money for new commissions that we haven't created.

PRESIDENT:

Further discussion? Senator Watson. Senator DeAngelis.

SENATOR DeANGELIS:

Mr. President, I think there's an error in...in the statement regarding the new commissions. Did we not, in fact, defeat 492 which had a lot of the stuff that's on the second page of the commissions?

PRESIDENT:

You are correct.

SENATOR DeANGELIS:

And, therefore, most...just a question of the Chair. If the substantive bill is defeated, the appropriation is automatically disappears, correct?

PRESIDENT:

That is correct. Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. I think that some of these appropriations and the way that our commissions have been treated is rather shoddy, because many of us who have some control over some of the commissions have done our best to cut expenditures. Last year, I know we cut our request by ten or fifteen percent, and then arbitrarily this year the House cuts one particular commission which I'm interested in by almost a third...with no conversation whatsoever. I think

it's irresponsible and we're not...we're trying to hold down expenses, but just to arbitrarily cut a commission by one-third I think is ridiculous.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

Question of the sponsor.

PRESIDENT:

Indicates he'll reluctantly yield.

SENATOR COFFEY:

On...on the commissions, on 41, the Sunset Commission, what is that?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Well, that...that's Senator Bloom's pet project. It...it examines regulatory things that we do and recommends that that be continued or not continued. It examines new legislation on...regulation and makes recommendations on it.

PRESIDENT:

Senator Coffey.

SENATOR COFFEY:

I wonder if they've made any recommendations on...I thought there was...it was studying the commissions and what they were doing and how their budgets was increasing and whether they were necessary and those kind of things, and this thing, it seems to be growing right along with all the rest of the cancerous commissions here. And I've supported some of these commissions, but I, like Senator Weaver, see one that I am on that is growing like mad, that does nothing, and the other one that I'm on that's doing something and being responsible is being cut. And I think that we ought to put the whole thing down the tubes if some of these commissions are going to ask for additional dollars and they're

really not being effective in doing anything except costing the taxpayers increased... 'cause what we did two days ago to increase taxes, and here we are again. We should have passed this thing out before we got the tax package out. But I object to the way they're increasing these commissions when we are trying to balance the budget and raise taxes on the people that really can't afford them.

PRESIDENT:

Senator Bloom.

SENATOR BLOOM:

Well, thank you, Mr. President. I think it's unfortunate that there are legislative support agencies get thrown in with the junk commissions, because what it does, we do ourselves no good in terms of how the public relates to us, and also give some of our colleagues... I know of one Representative within the sound of my ear... an opportunity to demagogue it up about all commissions. And when these things get lumped together in this manner, it is truly unfortunate. And I'm not going to support this Conference Committee report in this form because I think we do ourselves no good, I think we really have the hard working and the valuable commissions get tarred with the same brush as the junk commissions, and it provides an opportunity for some of our more... some of our less scrupulous colleagues to demagogue up everything. So, I plan to vote No.

PRESIDENT:

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, I have a parliamentary inquiry, Mr. President. I believe Senator Collins asked if the matter could be amended on its face, and I just want to point... is the answer no, sir?

PRESIDENT:

The answer was and is, no, that is correct. Senator

Lechowicz.

SENATOR LECHOWICZ:

Thank you. Well, I just wanted to point out that the other matter was amended on its face, and if you recall...

PRESIDENT:

As it...as it was in the House prior to its adoption by the House. This committee report has already been adopted by the House, absent any amendment on its face.

SENATOR LECHOWICZ:

Well, then, in ruling of...in light of that ruling, Mr. President, I would like the record to reflect that I would...be recorded as voting Aye on the Attorney General's budget, the Auditor General's budget, the Comptroller's budget, the Governor's budget, the Lieutenant Governor's budget,...State Appellate Defender's budget, Secretary of State, Supreme Court, Treasurer, General Assembly district office allowance, General Assembly operations, Judicial Inquiry Board, State's Attorney Appellate Service Commission. But I just want to point out, I share Senator Bloom's comments on the commissions, and certain of them do deserve support, certain commissions probably should be eliminated. For that reason, I'm going to be voting No on the commissions because they are lumped together, and, unfortunately, I'll also be voting No on the bill as presented for that reason.

PRESIDENT:

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I would suggest to the members on this side to vote red, defeat this Conference Committee report, ask for the second Conference Committee and cut all the fat out.

PRESIDENT:

Alright, alright, settle down. Senator Schuneman, for the second time.

SENATOR SCHUNEMAN:

No, no, I haven't spoke on this issue, Mr. President.

PRESIDENT:

I beg your pardon. Senator Schuneman.

SENATOR SCHUNEMAN:

It...it was suggested earlier by one of the members that a responsible vote would be to approve this report because we knew that some of the substantive bills creating these commissions had failed, but it seems to me that the Conference Committee period of the year is really the Legislature at its...at its worst. We're really not very good at what we're doing here in that so much junk slips through, sometimes not explained on the Floor. And I think we all get a little suspicious of what...what's happening now. I'm told that, for example, in House Bill 104 that we approved some commissions that we didn't know we were approving at the time. I don't...I don't know the accuracy of that, perhaps the sponsor of that bill could indicate whether or not we, in fact, did that. But I rise for the purpose of pointing out that we may have already approved some of these commissions and not even know it. I think the only responsible thing to do is to send it back.

PRESIDENT:

Senator Schuneman, that was for the second time, by the way. Senator Chew.

SENATOR CHEW:

Mr. President, I think it should be brought out here that standing committees of this Legislature, these committees are not funded. Commissions are funded. Ninety-nine percent of all the commissions here are support agencies of committee structures. I can give you many examples. For instance, the Illinois Transportation Study Commission...would you just shut up and let me talk...is a support agency not only for the Committee on Transportation of both Houses, but it serves

a very vital purpose to the Department of Transportation. We know in other legislative bodies committees are funded, but in this legislative Body commissions are funded and committees are not. Some people think that commissions are designed for a sponsor, that's not true. Over seventeen years I have served on approximately eleven commissions. I have had no reason to criticize them because I think they're doing a pretty good job. Now, if our committees were funded...if our committees were funded, then many of these commissions would not have funds to operate on. So, let us not think that this has been grouped in to slip by anybody. They are in plain English, you can read; and if you don't like the situation, correct it. But let us not allow a budget bill to go down the tube simply because somebody has a hard on for a particular commission or somebody couldn't get on a particular commission. I mean...we should be bigger than that. So, I would rise to support it.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 384. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 17 Ayes and 32 Nays and 5 voting Present. The Conference Committee report is not adopted and the Secretary shall so inform the House, and Senator Schaffer requests...Senator Mahar, I beg your pardon, requests the appointment of a second Conference Committee. Welcome to Sunday. 390, Senator Coffey. Conference Committee report on Senate Bill 390, Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Could I yield to Senator Sommer?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is simply the reappropriation of past funds and...unpaid out projects for the Department of Transportation.

PRESIDENT:

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 390. Those in favor will vote Aye. Opposed vote Nay. The voting is open. All voted who wish? All voted who wish? Have all voted who wish? Take the record. On that question, there are 49 Ayes, 2...48 Ayes, 2 Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 390 and the bill having received the required constitutional majority is declared passed. 394, Senator Schaffer. On the Order of Conference Committee Reports, Conference Committee report on Senate Bill 394. Senator Schaffer.

SENATOR SCHAPPER:

Mr. President and members of the Senate, I think most people have the information sheets on this bill. It is the Emergency Service Department, the Fire Marshal,...Nuclear Safety, Prisoner Review Board, Law Enforcement, Corrections, the Police Training Board, Criminal Justice Information Authority,...Military and Naval, that's the National Guard and Senator Buzbee's Navy, for...for a total three hundred and seventy-nine, almost three hundred and eighty-nine million dollars in GRP; a grand total of four hundred and sixty-one million dollars. I do not believe there's any controversy in these areas, that I'm aware of. Happy to answer any questions.

PRESIDENT:

Discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Would you tell me what the

appropriation is for Military and Naval?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

The total is seven million three hundred and sixty-six thousand dollars. It's an increase of nine hundred and seventy-seven thousand.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Increase of...almost a million dollars, is that true?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Yes. The increases include seventy-seven thousand, almost seventy-eight thousand for the new Armory at Camp Lincoln; eighty-one thousand dollars for some new security guards that are...it's a Federal pass-through; the two and a half percent salary increase; we reduced the retirement line item; reduced some other operations a couple thousand; we decided to fund the utilities at a more realistic level, and we put a hundred and three thousand dollars for the Broadway Armory in...for the repairs...I believe it's some city situation. Any other questions...

PRESIDENT:

Further discussion? Senator Watson.

SENATOR WATSON:

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

PRESIDENT:

Indicates he'll yield, Senator Watson.

SENATOR WATSON:

Under the Office of the State Fire Marshal I see an interesting little tidbit where we're adding a hundred and

seventy-one thousand five hundred dollars for some sort of a community fire protection grant fund to...for grants for fire departments and fire protection districts with populations of under, according to my analysis, ten thousand dollars. What is that all about? Is that a...is that an authorized program? Have we passed legislation on this to...to fund this, or...or can you tell me something about it?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I am reformed...reformed...or informed that that is a new program that involves some legislation which I...I don't know if it's passed yet, but it's evidently in the hopper, and last night at one-thirty in the morning we had reason to believe it might reach the Governor's Desk, and it was in the allocation.

PRESIDENT:

Senator Watson. Senator Watson.

SENATOR WATSON:

This...is the Department of Conservation involved in this program at all?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

...no.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

In the Fire Marshal's program here, this hundred and seventy-one thousand five hundred dollars for community fire protection grant fund for the Fire Marshal's Office, is the Department of Conservation involved in that program at all in administrative level, or is this strictly for the...the Fire Marshal's Office?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I am told that is two separate programs with somewhat different...methodology.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

I'm not sure whether it's House Bill 599 or Senate Bill 599 which Senator Marovitz is the sponsor. Is it House bill or Senate bill? Senate bill. The...the authorization will be in that particular piece of legislation. It has not passed the Senate, it may or may not have passed the House, I'm not aware. We passed legislation here to enable the Department of Conservation to continue a program in which they've been administering since 1976 for a rural fire protection grant program. Now, the Fire Marshal is making an end run...I've met...I've worked with the Fire Marshal's Office on this program for at least three to four months trying to work out an agreement between Department of Conservation and the Fire Marshal's Office, and all during that time, the Fire Marshal's Office led me to believe that they were going to work with the Department of Conservation and it would be a jointly administered program. And now, at the end, we see an end run, they're trying to come around and grab it for themselves. I don't appreciate this one bit. I'm going to vote No on this, and I'm going to speak against the 599 that Billy Marovitz is going to sponsor in a few moments. It's going to provide the authorization for this. And I think this is a shame, it's a Sham, and I'd appreciate any more No votes that could come down with me. Thank you.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Senator Watson, I understand from staff that the money for your bill is, in fact, in the Department of Conservation's budget. At least that's what they just tell me here.

PRESIDENT:

(Machine cutoff)...Watson.

SENATOR WATSON:

It is in the Department of Conservation budget but I still don't like it. I don't like the way this has been done. Thank you.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Well, all...all I can say is, just to clarify things, this money is in the Department of Conservation budget. The money in the Fire Prevention Fund, which...which will be used for the first time for...for...for State purchases and...and assistance to fire...protection districts is in 599. The Conservation has used it and used the Federal funds before, and that's no problem. This is the first time this fund, which is from the insurance fire premiums, is going to be used for...for the State fire...protection and we'll be able to address that in 599.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

Just a couple of quick questions. Space Needs Commission gets two million three hundred and eighty thousand for land acquisition. Could you, by chance, let us know what that is?

PRESIDENT:

Senator Schaffer. Senator Keats.

SENATOR KEATS:

Last item.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAPPER:

I...I think we can disregard Senator Keats' earlier comments.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

...I'll bang...bang him on it on the next bill.

PRESIDENT:

Alright, further discussion on 394? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 394. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 45 Ayes, 6 Nays, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 394, and the bill having received the required constitutional majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 481, Senator Carroll. Conference Committee report on Senate Bill 481, Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the annual appropriation for those awards signed by the Court of Claims. These are the ones that they have signed, and it would appropriate some four million seven hundred and twenty-seven thousand eight hundred and fifty dollars for those awards. And I would urge the adoption of Conference Committee Report No. 1. These are only those signed.

PRESIDENT:

Discussion? Discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate

Bill 481. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 41 Ayes, 9 Nays, 2 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 481, and the bill having received the required constitutional majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 714, Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. Senator Sommer will handle this, please.

PRESIDENT:

Alright. On the Order of Conference Committee Reports, Conference Committee report on Senate Bill 714, Senator Sommer.

SENATOR SOMMER:

Mr. President and members, this is the new capital construction legislation that we pass every year. Includes new construction and also the reappropriations were rolled into this particular one with some amendments. I'd be happy to respond to any questions that you would have about any item here.

PRESIDENT:

(Machine cutoff)...Keats.

SENATOR KEATS:

If I might kid my Democrat colleagues, you're complaining about no analysis, I've got so many of them I can't tell which one I've got. Senate Bill 714, the last page, land acquisition...two million three hundred and eighty thousand space needs.

PRESIDENT:

Senator Sommer. Senator Schaffer.

SENATOR SCHAPFER:

Senator Keats, as you know, the Space Needs Commission's ongoing mission is to acquire land within a designated area around the Capitol. This is for the acquisition of that land and for the demolition of St. Agnes' Church, which is the Catholic church over here that we bought that has been boarded up and is becoming a hazard. I don't know exactly what the priorities are, but we bought a Catholic church and a Lutheran church, and I understand if there's a synogogue in the area, they're next up.

PRESIDENT:

Further discussion? Further discussion? Senator Lechowicz. I beg your pardon, Senator Keats, I thought you had concluded.

SENATOR KEATS:

No, I...for...for two million three hundred and eighty thousand I'll take down both churches for you. And in terms of land acquisition, it might be an idea to...to have them give us a list of what they're buying. There are a series of others in 714. I...I'll just hit a...the highlights a couple. One House amendment they're taking forty-three one seventy-five away from Illinois Veterans' Home in Quincy. How much are we spending in Kankakee so we don't spend forty-three grand in Quincy?

PRESIDENT:

Senator Keats.

SENATOR KEATS:

1.8 million for a running track at Chicago State University. I think Chicago State should have a running track but I'd like to have the contract for 1.8...million. Was that a bidded...a bid contract?

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

My understanding, Senator Keats, that that is a

reappropriation of a project that has passed several years ago and is carried forward as a reappropriation. It is subject to the Governor's construction freeze and is under that freeze. It is the reappropriation. Would you like to have the contract? I think you'd be in violation of State law, but that's your privilege, you could bid on it if you want.

PRESIDENT:

Senator Keats.

SENATOR KEATS:

The final question, Amendment No. 3 adds five million one hundred eighty-two thousand two hundred for...for the construction of a new dental...facility at Southern Illinois Alton Campus. You may remember we, by a couple of votes, almost abolished the dental school at...at Southern Illinois, and I said, hey, they're going to have to spend millions to build a new campus. Here's the first five million. And at the time it was sort of hinted that, no, they really didn't need to do it. Well, fellows, here's the five plus million to start it.

PRESIDENT:

Alright. Further discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. Amendment No. 4 which adds 2.446 million for conversion of the Mt. Vernon Regional Office Building to an animal disease laboratory. Can you explain that, whoever the sponsor is?

PRESIDENT:

(Machine cutoff)...Carroll.

SENATOR CARROLL:

Senator Watson, I can try, all I know is what was said in the debate. I...I don't know the building at all or anything else. This is a building that, apparently, we own in Mt. Vernon, as I understand it, that is dormant and vacant and

costing money to maintain empty, and it was decided that this was a good usage for State Government to utilize the building. This would convert it for this purpose. That's the money so to do instead of sitting empty and costing us just to keep it empty.

PRESIDENT:

Senator Watson.

SENATOR WATSON:

Yes, unfortunately though, the current animal disease laboratory happens to be located in my district in Centralia. From what I understand is that we are working towards establishing a mechanism in which to build a new facility there. I think this is inappropriate at this time to...to add two...almost two and a half million dollars for conversion of a building which probably will never be used.

PRESIDENT:

Further discussion? Senator Vadalabene.

SENATOR VADALABENE:

Yes, just to make a comment in regard to the dental school at Alton. Doctor Redondo, chairman of the BHE Board, with a sixteen man panel...men and women panel, went down there; they were there, I believe, two days and came back with their results and they voted 15 to 1 that that dental school was one of the best dental schools in the country and it was essential that it stay there.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. One question of the sponsor. In the Conference Committee report, and I don't believe it was in any of the amendments, on Page 3 is 7.4 million dollars, not from Capital Development Bonds or anything but from general revenue for the purchase of a building in Springfield at Second and South Grand, known as the Sears Building. Could

someone tell me why we are using general revenue, why it costs so much and why...what we plan to do with it?

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Senator Netsch, you remember some years ago when you were urging this Body to spend general revenue on capital projects, you remember that? Well, we've just followed your policy, Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Now, with all due respect, Senator Sommer, that is no answer to my question. I mean, I...I know who represents Springfield, I'm...I'm not stupid. But I really am serious when I'm saying that is a lot of money to spend for a building that is not in the Capitol Complex, and there is no indication of what it is to be used for.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Well, thank you...

PRESIDENT:

Oh, I beg your pardon...I beg your pardon, I...your question sounded demonstrably like a statement. Senator Sommer.

SENATOR SOMMER:

Mr. President, it's really in Senator Davidson's district. He's familiar with the project, he would certainly like to explain it.

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Senator Netsch, this is the new computer center for Public Aid and all the other backup systems. If anything

happens, there's no way to...to backup. You've read about this in the paper for the last two or three different months. There was a recommendation that Public Aid set up its backup computer center. This was a building that economically was more feasible to buy than it was to try to build a new one. A new building at this kind of floor space that's in it would run someplace almost double what the purchase amount is.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Just one follow-up question. And this sounds facetious but it's really serious. Do you mean that this is for the...the...what is it...MMIS Program that we have been told by Public Aid for at least the last ten years was going to be on line the next year, and now we finally have a building in which to start putting it?

PRESIDENT:

Senator Davidson.

SENATOR DAVIDSON:

Well, I don't know whether it's for the MMIS Program or not...or MMIS program. The only thing I know is that all the consultants and experts said there had to be; one, a backup unit system of the computer; and, secondly, a computer that was big enough of capacity to handle processing the vendors' claims. Right now they are not able to handle all the vendors' claims because there's not enough time on the present computer capacity within the State facility, and that's one of the big delays you have on paying the bills to the vendors.

PRESIDENT:

Further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senator, I didn't follow you when you were saying a

backup...for...a backup building of the Department of Public Aid...what...what are you talking about a backup?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Senator Hall, simply put, what they want to do is buy the Sears Building, rebuild the thing for the computer and administrative end of the Department of Public Aid for a total of seventy...seven million dollars. Now, the new Revenue Building is costing us sixty million dollars. Now, I'm not comparing square footages, and certainly the Sears Building won't have the wonderful glass front and all that other stuff, but it is probably a prudent thing to do. If you drive around this town, you'll notice you see the Department of Public Aid sign painted on a whole lot of windows around this town. It's an attempt to consolidate down to one or two buildings, put the department in a reasonable, rational state, and it probably is a very prudent investment of money. And that seven million is not, as I understand it, just to go buy the building, it's to buy it, convert it, build the electrical system in, the...all the stuff you need for a major computer, electronic, paper processing center so that if we do pass budgets occasionally, the people can get their checks.

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. Amendment No. 9, all projects recommended by the Board of Higher Education, a total of thirty-six million. Could you give us a breakdown on some of those.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Senator Rupp, it has been the policy since I've been here to take the first identifiable number of projects recommended by the Governor off of the list recommended by the Board of Higher Education. These are the top ten and that's it. There's perhaps a hundred projects that the universities would like to do. If you want the particular projects...we don't have the list right here. Senator Weaver has it right behind you, perhaps you could look at them and...

PRESIDENT:

Senator Rupp.

SENATOR RUPP:

Well, it seems easy enough that you've been passing the ball back and forth easily back there. I...I think you ought to send it over there. The total of thirty-six million dollars and whether we've done it in the past or not, I think the Senate should be able to find out what we're spending thirty-six million dollars for. Just an answer about it's the top ten, that's great.

PRESIDENT:

Senator Sommer.

SENATOR SOMMER:

Okay, back again. That amendment you...you may have misinterpreted. We took out a whole bunch of others and we are only going to do ten as we normally do. I'll read them to you if you wish.

PRESIDENT:

Please.

SENATOR SOMMER:

Southern Illinois University Livestock Teaching and Research Facility, one million dollars. No, I'll take that back, it's...I don't have a...a total because we have a site total and a remodeling total, and all that. It's hard to gather right here. It's...it's about a million and a half the way it looks. University of Illinois Ag Engineering

Research Laboratory, about two million. University of Illinois Plant Sciences Greenhouse, 1.6 million. Western Illinois University Sewer Improvement and Swine...Evaluation Station, 1.8. Southern Illinois University Livestock Teaching and Research Facilities, pretty large amount here, it's difficult to tell, about two million, something like that. University of Illinois Animal Dairy Science Facility, three million, almost four, three-nine. University of Illinois Veterinary Medicine Animal Facilities, five-seven. Western Illinois Beef, Cow, Calf Facility, about five, five-eight. Western Illinois Swine Production, five-nine. University of Illinois Veterinary Research, six-six. Southern Illinois University Animal Waste Disposal, seven. Looks to me like this is the Food for Century Three list. That must have gone up to the top of the...the...the Board's recommendations this particular year.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

Well, thank you, Mr...Mr. President. Thank you, Senator Sommer, for that breakdown. Was there any attempt made to...it looked like we're doing an awful lot of duplication on that list. Was there any check made by the committee on that?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sommer.

SENATOR SOMMER:

Senator Rupp, that's why we have the Board of Higher Education. They have a whole load of Ph.D's out there who analyze the needs. They tell us what they think are the most pressing needs in the higher...higher education universities communities. And they list them and we usually pick about the top ten or so and...and fund them on an ongoing program in order to maintain our physical plants at our universities.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rupp.

SENATOR RUPP:

That's a good answer but it's not satisfactory. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 714. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 13, 1 voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 714 and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. For what purpose does Senator Buzbee arise?

SENATOR BUZBEE:

Well, I would just move to reconsider that vote, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to reconsider the vote by which the Senate adopted the Conference Committee report. Senator Carroll moves to lie that motion upon the Table. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The motion to reconsider is Tabled. We were on our regular Calendar on Page 9 at Senate Bill 557. Senator Rock is recognized for a motion on Senate Bill 557.

SENATOR ROCK:

Mr. President, may I have leave to come back. I have to call the Speaker and see what we can do about what's going on here. I'll get back to it...it...

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Is there leave...

SENATOR ROCK:

...it affects only the General Assembly people and I'll get back to it.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to return to that order? Leave is granted. Senate Bill 578, Senator Demuzio. Senator Demuzio is recognized for a motion.

SENATOR DEMUZIO:

Thank you, very much, Mr. President. On 578, this bill was of some consternation to the Chamber of Commerce and opponents who felt that the request for substantive information from the Environmental Protection Agency that we were asking for violated the trade secret provisions of the Act. We have compromised on language in the House with the Chamber of Commerce, and I know of no objection to simply only require the quantity and the generators name to be given to...to the public for public information. And we have taken out the specific chemical identity. I don't know of any opposition, and I would move to concur in the Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The motion is to...to adopt the Conference Committee report on Senate Bill 578. Discussion? Discussion...alright. The question is, shall the Senate adopt...Senator Geo-Karis.

SENATOR GEO-KARIS:

Just a point of information. What does your budget refer to, I didn't quite get it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio.

SENATOR DEMUZIO:

The...when the bill left the...the Senate, it...it would require the Environmental Protection Agency to give the quantity and the specific chemical identity of...of materials

that were being landfilled. We took out the specific chemical identity because the opponents had a problem that it might constitute and violate the trade secret problem, which we are attempting to get at. However, this language does give us some additional...gives the public some additional information by providing for disclosure of the quantity and the generators name, and that's all that it does.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate adopt the first Conference Committee report to Senate Bill 578. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? (Machine cutoff)...record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the...the Senate does adopt the first Conference Committee report to Senate Bill 578 and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senate Bill 599, Senator Marovitz. Senator Marovitz is recognized for a motion. Wait a minute. Senator Marovitz, if...if you would not mind, the Secretary has a couple of messages that we need to get in the process. It'll help us with our flow. Is there leave to go to the Order of Messages from the House? Leave is granted. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to recede from their Amendments 1 and 2 to a bill with the following title:

Senate Bill 89. They request a first Committee of Conference. The Speaker has appointed the members on the part of the House.

And a Message on Senate Bill 526 with House Amendments 2.

And a Message on Senate Bill 668 with House Amendments 1, 2, 3 and 4.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Is there leave to return to Conference Committee...Senator Rock moves that we accede to the request of the House that a Conference Committee be requested on the message just read by the Secretary. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it, and we accede to the request of the House on the messages just read in. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President. Welcome to July 2nd, tomorrow is July 3rd. I am reliably informed that the House saw this Conference Committee report on 557 with my name on it, and it's dead. So, we're going to have to request a second Conference Committee. I'd like to dump the first one.

PRESIDING OFFICER: (SENATOR BRUCE)

You're a popular man. Alright. Let's go to 557 so that we can dump that one. Senator Marovitz, you will not object, I take it? Alright. 557, Mr. Secretary. Alright. The question is, shall the Senate adopt the first Conference Committee report to 557. Those in favor vote Aye. Opposed Nay. The...the voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 8, the Nays are 21, none voting Present. The Senate does not adopt the first Conference...Conference Committee report and the Secretary shall so inform the House. 599, Senator Marovitz. Senator Marovitz is recognized on the first Conference Committee report on Senate Bill 599...and Senator Rock requests a second Conference Committee report on 557. Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that the Senate adopt Conference

Committee Report No. 1 to Senate Bill 599. This report, if adopted, would assure that the continuation of the Community Fire Protection Grant Fund in the event Federal funds are no longer available, and up till now, the money...money has come from Federal funds; but it would provide funds from the Special Fire Protection Fund for the Office of the State Fire Marshal, for which the fund has been created, through a one percent surtax on fire insurance premiums in Illinois. Currently, the Community Fire Protection Fund is administered with Federal funds, I emphasize that, with Federal funds by law through the chief forester who's in the Department of Conservation. We already have sent a bill to the Governor, that is Senator Watson's bill. This bill will take money from the Special Fire Protection Fund, created by this one percent surtax on fire insurance premiums and it would give it to the Department of Conservation. If we approve this bill, Senate Bill 599, then the Governor, as it should be, will have to decide, he'll have the choice, whether the special funds for the operation and maintenance of the Office of State Fire Marshal should be diverted to another State agency or should they come out of this very special fund directly for the assistance of fire protection districts. The House approved this Conference Committee report 103 to 5, and I would ask for adoption of Conference Committee Report No. 1 to Senate Bill 599.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. I'd like to ask the sponsor a couple of questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

I am to assume then that the Department of Conservation

has absolutely nothing to do with this particular program then, it's strictly the Fire Marshal, is that right?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Marovitz.

SENATOR MAROVITZ:

If it's the State program. Up until now, there have been Federal dollars involved and Conservation has been involved. If it's the State program and strictly the State dollars, then you would be correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Thank you. How much does this one percent tax on the insurance companies in fire premiums, how much does that generate, how many dollars?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Roughly...roughly sixty-eight million dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Sixty-eight million dollars...I think...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Why don't you leave this mike on, okay? 6.8 million dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

How much is that...is expended by the Fire Marshal? In other words, this money was raised...the intent of this was to raise this money for fire prevention and fire protection,

that was the whole intent of the one percent tax. How much of this money is being utilized by the Fire Marshal, or even...or other agencies for fire prevention?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

In Fiscal Year '83, approximately five million dollars.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

So, that means there's a one million dollars that's not being expended and it's going into General Revenue Fund and not being utilized in any way for fire protection?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

That is correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Watson.

SENATOR WATSON:

Okay. I just want to briefly...and first of all, I'd like to apologize for my outburst a minute ago, but...this has been a most frustrating experience I think I've had in...in my five years of involvement in State Government. About three or four months ago, the Department of Conservation people came to me and expressed some concern about the Federal Government drying up the dollars and money that's being utilized for this fire...Rural Fire Protection Fund for fire protection districts. The Federal Government had said, and has said in the last couple years, that this money was going to be discontinued. So, they came to me...and they knew that...that many of the rural areas of the State took advantage of this program, so they came to me and asked if there was some way that I would be interested in getting

involved in trying to establish State dollars for this particular project. So, we...we...we did a lot of investigating and...and trying to figure out how we could generate the money when we...when we came up with the possibility of going into this one percent tax that's on the insurance companies that now goes for fire...fire protection being utilized by the Fire Marshal's Office. The program is entirely for fire protection, fire prevention. So, naturally, this was a...a...a natural spot to go after the dollars. So, we bring in the Fire Marshal's Office and we negotiate and continue to negotiate in good faith, and I feel that all during that time that both Department of Conservation and the Fire Marshal's Office was in agreement that this something that should be utilized and done. And, in fact, the Fire Marshal's Office was...initially really didn't want to be involved in the program with the spokesman that they had, and I can back that up with several of the people that were involved in the meetings. They really didn't want to be involved, and they were glad to let the Department of Conservation handle the program as they have. Department of Conservation has run the program since, I believe it's been, 1976. I'm not sure about that...that year, but, I believe, since 1976 this has been a program instilled by the Department of Conservation. They've done an outstanding job. And I've got letters here and...and it's just a few letters, but from Alex McWilliams, from the Chief of the Shabbona, I believe it is, Firemen's Association. He states in his letter that he hopes that Senate Bill 1156, which was the bill that passed out of here, is successful, he appreciates the Department of Conservation's work in...in behalf of the small rural fire protection districts, and he says that they're doing a good job. The Dwight Volunteer Firefighters, Incorporated, another letter here from him stating that...what a good job Department of Conservation is doing and what a good program it is. Shirley Miller, admin-

istrative secretary from the Illinois Association of Fire Protection Districts, another letter. Then we come to the letter of intent from the Department of Conservation. And this is dated June 3rd. And when...when...when it looked like that possibly that the negotiations were going to break-down, we tried to get the two warring factions of the Fire Marshal's Office and Department of Conservation together, and so we wrote up what I thought was an agreement between the two agencies. And in this, just one statement here that's signed by Al Nicholson, who's the chief Divisions of Forest...Resources and Natural Heritage with the Department of Conservation. It says here, "The Department of Conservation shall promulgate rules and regulations following review by the Office of the State Fire Marshal to carry out the purpose of this section in accordance with the Illinois Administrative Procedures Act." Department of Conservation is interested in working with the Fire Marshal's Office, then here comes a letter from Jack Carter who is currently the Fire Marshal...State Fire Marshal, dated June 14th, 1983. In the letter it states, "You may be assured"...this is a letter to Richard Mautino, Representative Mautino, who sponsored the legislation in the House, Senate Bill 1156. "You may rest...be assured that we fully intend to work cooperatively with the Department of Conservation in implementing the purposes and intent of the Federal Title Program, the Fire Pretension Assistance Fund Program and a State program to further expand that concept." Fire Marshal Carter...in that paragraph states that he would be glad to work with the Department of Conservation. Now, what do we see? The...the Fire Marshal's Office...we...we beat this concept in the House, we took an amendment off over there, we...we beat this concept two days ago here on the Senate Floor, and now the Fire Marshal's Office is coming in and trying to make some sort of an...an end run, if you...so to speak, in trying to

get the program for themselves, when the Department of Conservation...the main thing is that the program continues and...and some of the people involved here keeping coming...coming to me and wanting to know whose job am I trying to save or what...what...what's going on, what kind of jobs do I want. I'm not concerned about jobs. It's a good program, it's a good program for the entire State and a good program for the rural areas. I'm concerned that it continues. And the Department of Conservation has been doing an outstanding job of...of administrating the program and doing what's right. And now, we're going to have another agency come in and try to take it over. I think that's a mistake. I would...I just...I...I personally feel that the...the Department of Conservation should continue with the program. So, we could put two pieces of legislation on the Governor's Desk, no problem with that, although I would like to see that it go with the Department of Conservation. I just don't like the way this thing has been handled. I just don't like the way it hasn't been up front with me and many of the other people involved. So, I'm...for that, I would appreciate a No vote on Conference Committee Report No. 1 to Senate Bill 599. Thank you for enduring with me...my...my frustrations here.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President. I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Grothberg.

SENATOR GROTHBERG:

Senator, does the Federal money still flow to the Conservation Department for rurals?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz.

SENATOR MAROVITZ:

Absolutely, absolutely, as it always has.

SENATOR GROTEBERG:

Thank you. Mr. President, then to the bill, briefly. I would suggest to you that the example the previous speaker used of Mr. Williams at the Shabbona Fire Department is a classic case. Shabbona State Park, the newest State Park in the world, is in Shabbona...and I'm not suggesting hanky-panky on either side. But he darn well better right a letter in support of the Department or they'll have him by the throat. And if you want to go fishing up there, let's call him because he's a good friend of mine. My concern is then, let's give the duck stamps to the...to the Fire Marshal. That's the only difference in this bill, you know, and we'll put the wildlife into the fire department. Fair is fair, but when State funds...and we have a State department under the Governor for any State grants, if there are any left over...this is leftover money out of the Insurance Fund, that's all it is, because there are plenty of people to claim the one percent. And this leftover money should go to the Fire Marshal of the State of Illinois to be used as he can see fit. All I know is that I represent...urban and rural areas and the Fire Marshal has been very cooperative. The only thing I ever fought him on was steam engines and we beat him, and we've got thrashing machines and tractors and trains running again. Let's give the gentleman his due and give him the money that belongs under the Fire Marshal's Department, or I will, if it goes to a second Conference Committee, I'll put the...the...the...the game license into the Fire Marshal Department.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Marovitz may close.

SENATOR MAROVITZ:

Thank you, very much...thank you, very much, Mr. President and members of the Senate. Let me just say this, all the individuals that are involved with fire prevention services are for this bill. The people in the fire protection districts, the chiefs, the inspectors, the firefighters; they are for this bill. The Federal dollars, if there are any, will still flow to Conservation, this doesn't change that at all. It just says that dollars from the Fire...Prevention Fund will...if there are remaining dollars, it will be spent and administered by the State Fire Marshal's Office to help buy equipment to save people's lives. That's what this is all about, period. And the bottom line is...the bottom line...and I know there are a lot of people sitting there...that don't even know what this is about. The bottom line is, we've passed Senator Watson's bill that will do it the way he wants it, this bill will do it the way the State Fire Marshal wants it. His bill does it the way Conservation wants it. We'll pass both bills, we'll put it on the Governor's Desk, he'll do what he thinks is best. That's really what this is all about, because the other bill has already passed. The House passed this bill 103 to 5, and then both bills will be on his desk and he'll do what is best. After all, these...these funds are from fire insurance premiums, one percent tax. It's for...fire protection, it ought to be administered by the State Fire Marshal's Office. The Federal funds will still be administered by Conservation. Let's put both of these pieces of legislation on the Governor's Desk and let the individuals who are in the best position to make that choice, let them make that choice. He'll sign whichever bill he wants. I have no idea which bill he's going to sign, and that's what this is all about. The House passed it 103 to 5, let's...let's give the Governor the choice. I ask for an affirmative roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 599. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 21, 1 voting Present. (Machine cutoff)...the...the Chair's knowledge, the...the bill did not have an immediate effective date and neither did the Conference Committee. Senator Marovitz, I am informed that the...one of the amendments did, in fact, carry an immediate effective date, Amendment No. 1. So, on a roll call of 32 Ayes, 21 Nays, 1 voting Present, the first Conference Committee report is not adopted, and Senator Marovitz asks for the appointment of a second Conference Committee. Hold on. Senator Marovitz, hold on, we're going to take another look. The Conference Committee...the...the motion on the Conference Committee is lost. It was a House amendment, and the House amendment had the effective date in it and we concurred in that. Senate Bill 702, Senator Lenke. Senator Lenke on the Floor? (Machine cutoff)...Bill 824, Senator Degnan. Senator Degnan is recognized for a motion on Senate Bill 824 and the Conference Committee thereon.

END OF REEL

REEL #7

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 824 was on the Agreed Bill List, passed out of here 57 to nothing, was amended in the House back and forth into a Conference Committee. The new language in the bill increases the signature requirements for tax rate reduction referenda from five to ten percent of the number of votes cast in the last general election. This applies to municipalities and counties only; school districts are not included. The need is to bring our State law up to a level that all...that many other states are. California, in fact, is at ten percent. I'd answer any question; absent that, would move to adopt the Conference Committee No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Keats.

SENATOR KEATS:

This makes it harder to get the petition signatures, it takes more, right? I...I can't...despite all this paper, I can't find this Conference Committee. It makes it harder for someone to get these petitions on the ballot.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I would want to call to the attention of the membership that there...in an earlier version of this report there was a provision that provided that the names and addresses of those citizens participating in the Senior Citizens and Disabled Persons Property...Tax Relief Act, their names and addresses and other such information be made available. I...that provision has now been stricken from this bill, and I would

ask for your Aye vote on this Conference...Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Mahar.

SENATOR MAHAR:

Yes, thank you, Mr. President...members of the Senate. I have a copy here which shows a deletion, and then it also shows that the change in the percentage of legal voters required in the petition for approval for not fewer than...not fewer than five...from not fewer than five to fewer than ten. Is that still in the...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...

SENATOR MAHAR:

...is that still in the bill?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Degnan.

SENATOR DEGNAN:

I don't think I understood the question.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar.

SENATOR MAHAR:

Yes, the question has been answered over here. It changes from five...five percent to ten percent. I support the thing.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Degnan may close.

SENATOR DEGNAN:

I'd move for adoption of Conference Committee No. 1 on Senate Bill 824.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 824. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 6, none voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 824, and the bill having received the three-fifths affirmative vote of the members elected is effective immediately upon its becoming a law. Senate Bill 879, Senator Schaffer. Senator Schaffer is recognized for a motion.

SENATOR SCHAFFER:

Mr. President and members of the Senate, Senate Bill 879 is a fairly noncontroversial bill as it left the Senate involving extending the length of a preannexation agreement. When it reached the House, it acquired a reasonable amount of baggage, some of which was controversial. The Conference Committee before you, I believe, includes nothing that is controversial, and I believe all the controversial issues have been worked out. There was one amendment on this bill which caused the...Municipal League problems, that language has been changed, and I talked to Mr. Sergeant earlier today and I don't believe they have any problems. I'd like to go through the various issues that are now in the Conference Committee so that we know what we're...doing. The first provision adds...allows for a water commission to issue general obligation bonds with a front door referendum. There are no tax increases without referendum, and all the referendums involved in this bill are front door. The second major provision allows a municipality to bypass the statutory debt limit if the indebtedness is for financing a system to procure water from Lake Michigan, with a front door referendum. Again, a front door referendum. I might add that the language that the City of Chicago found offensive involving the setting of water rates is not in this bill. They do not have problems with this. The third issue is an interesting one. Evidently, some of our municipalities have attempted to

limit the display of the American Flag by a business. This amendment simply says they cannot do that except in the interest of public health and safety. Some of the large gas stations fly these humongous American Flags, which personally I happen to kind of like, but I don't think we want to let them put the pole right along side the street and let the flag flap over a four-lane highway. The fourth provision provides that when water rates in a municipality are not agreed on, that the...shall be heard by the circuit court with a speedy appeal to the Supreme Court. This addresses a problem that was had in the suburbs. Again, that language is now...I do not believe controversial. The fifth provision is one that we worked at with some length with Senator Nedza...I believe Democratic staff is here, although I understand Senator Nedza is not with us at this moment...and it is very narrowly drawn to provide a system of determining value of an existing waterwork system, and it's drawn to resolve a problem, as I understand it, in one very narrow constituency. And I do not believe there's any controversy on that. If there are any questions, I'll be happy to answer it. Appreciate a roll call.

PRESIDING OFFICER: {SENATOR BRUCE}

Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report to Senate Bill 879. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Senator Egan. Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 879, and the bill having received the required three-fifths vote of the members elected is effective immediately upon its becoming a law. For what purpose does Senator Vadalabene arise?

SENATOR VADALABENE:

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e.e.R.

Yes, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR VADALABENE:

Bev, this is Sam. I notice you're knitting a baby blanket. Why didn't you tell me?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

Sam, you're right, it's...it's a surprise.

PRESIDING OFFICER: (SENATOR BRUCE)

I hope none of this is being transcribed, I hope. Senate Bill 919, Senator Zito. You're recognized for a motion, Senator.

SENATOR ZITO:

Thank you, Mr. President and members. I would move that we would accept Conference Committee Report No. 1 to concur in House Amendments No. 1 and 3. What the amendments did was add new provisions requiring title holders or transferees of property to notify the chief assessing officer within thirty days. It also required owners of exempt property to file a complete description of premises, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report to Senate Bill 919. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to Senate Bill...919, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becom-

ing a law. Senate Bill 949, Senator DeAngelis. Senator DeAngelis is recognized for a motion on the first Conference Committee report.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. First Conference Committee report on Senate Bill 949 is Senate Bill 949, which was a rather simple bill, with House Amendment No. 1 which is fairly significant. What House Amendment No. 1 to this Conference Committee report does, it allows the Governor of the State of Illinois to borrow certain monies under certain conditions, and the monies and the conditions are as follows. The monies is that we will allow him to...I'm sorry, I said borrow, I meant transfer. He will be allowed to transfer up to...at his discretion, up to a hundred million dollars with the following conditions: Transfers have to be made prior to January 1st, 1984; the total amount shall not exceed a hundred million dollars; all such amounts shall be retransferred back in before the end of the fiscal year; no transfer shall impair the obligations of the State of Illinois; the Comptroller and the Treasurer, upon receipt of the authorization for the Governor, shall make transfers upon certification by the Comptroller that there is no impairment...

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order please.

SENATOR DeANGELIS:

...that there is no impairment of an obligation of the State. If the Governor fails to authorize the necessary retransfers into the original funds by the end of the fiscal year, the Comptroller and Treasurer shall make such retransfers. And lastly, within ten days after the last day of each month, the Comptroller shall report to the President of the Senate, and the Minority Leader of the Senate, and the Speaker, and Minority Leader of the House, and the Governor

to any transfers made during that month. This legislation shall be repealed July 1st, 1984. What this is for, although we have passed various taxes in this Body, there is a possibility that we may run into some cash flow problems in August, September and October. This legislation is identical to the provision we made last year in which we allowed the transfers, I think, up to about forty-five million dollars. I will take any questions or urge its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in full support of the Conference Committee report on Senate Bill 949. This authority or permission to borrow...interfund borrow is absolutely essential for the proper operation of government. We afforded the Governor this opportunity last year, he used it wisely and well, the money was repaid. All we're doing is the same thing so it will not be necessary for us, for us, the Assembly, to return, perhaps, in August and September and try to straighten things out. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. The two previous speakers are absolutely correct. I move to adopt Conference Committee Report No. 1 on Senate Bill 949. The Governor will need, probably, this latitude. It was extended to him last year. This is exactly what this Conference Committee does, and I strongly support an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, we allowed the Governor to do this last year. I think he used it with discretion. Who knows what's going to happen in this economy. We ought to give him this authorization.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator DeAngelis may close.

SENATOR DeANGELIS:

Just a favorable roll call, please.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 949. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 4, 2 voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 949, and the bill having received the affirmative votes of three-fifths of the members elected is...is effective immediately upon its becoming a law. Senate Bill 972, Senator Holmberg is recognized for a motion on the second Conference Committee report.

SENATOR HOLMBERG:

I wish to adopt the second Conference Committee report. This is exactly the bill that we passed out of this house. It was passed by the House, the House has already approved this report. We've taken off all the other conference...the conference amendment from the first conference. The amendment that you see on there that was on in the House just redefines the definition of senior citizens. Allows them to...the...the bill itself allows them to take courses if space is available in public universities and colleges. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you. Is this a...oh, I'm sorry, I don't have the second Conference Committee report. No questions.

PRESIDING OFFICER: (SENATOR BRUCE)

No questions. Senator Barkhausen.

SENATOR BARKHAUSEN:

Question of the sponsor. Senator Holmberg, just looking at my analysis, and I can't...can't tell all that much from it, but does this in any way reopen the question that was decided when Senate Bill, I believe it was, 238 was defeated, dealing with the question of providing scholarships for proprietary institutions?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Holmberg.

SENATOR HOLMBERG:

None whatsoever. That amendment has been taken off. This is the clean bill from the time we passed it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Barkhausen. Further discussion? Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

I...I...just move for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the second Conference Committee report on Senate Bill 972. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, 1 voting Present. The Senate does adopt the second Conference Committee report to Senate Bill 972, and the bill having received the three-fifths affirmative vote of the Senators elected is effective immediately upon its becoming a law. Senate Bill 991, Senator D'Arco, you are recognized for

a motion on the first Conference Committee report.

SENATOR D'ARCO:

Thank you, Mr...Mr. President. Senator, this was really Senator Schuneman's idea to include property damage up to the amount of five thousand dollars in our uninsured motorist coverage. The problem was that we made it mandatory so that there was a question about duplication of coverage. If you had collision in coverage...in your comprehensive policy, you would also be mandated to have it in your uninsured motorist coverage. And that was a...and that bill actually went to the Governor. So, this bill is an attempt to correct that so the uninsured motorist collision coverage up to five thousand is not mandatory. So, if you do carry it in your comprehensive policy, you will not have to carry it on your uninsured motorist portion of the coverage. But you can carry it on the uninsured motorist portion and not carry it on your comprehensive. We agreed to this, and, hopefully, I guess, this is the insurance industries response to mandatory auto insurance. I ask we adopt this report.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion...of the motion? Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank...thank you, Mr. President. Just two points. First of all, I think the language in this Conference Committee report is better than the language that was in the bill that I handled. But just to make sure we don't have any misunderstanding about this, Senator D'Arco, the...the language still does mandate that...that people who buy insurance will have uninsured property damage. The change, however, is that for those people who carry collision insurance, they already have this coverage on their car so there is some kind of duplication. So, what...what the result of this language will be is simply this, that if you have collision insurance on your car and you're hit by an uninsured motorist, the

insurance company now has agreed that they will waive whatever deductible you carry, and I think that's a pretty good trade-off, and I think this language is...is a lot better than what I had in my original bill, and I would urge adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Lechowicz. Alright. The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 991. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report on Senate Bill 991, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Is there leave to go to the Order of Messages From the House to keep the flow going? Leave is granted. Messages from the House.

SECRETARY:

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

Mr. President - I am directed to inform the Senate the House of Representatives has refused to adopt the first Conference Committee on Senate Bill 557 and requests a second, and the Speaker has appointed the members on the part of the House.

Message on House Bill 320 with Senate Amendment No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Savickas moves that we accede to the request of the House on the two mentioned bills. On the motion to accede to the request of the House for a second Conference Committee report, those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Senate Bill 1001, Senator Holmberg. Job Training Coordinating Council. I'm sorry. Senator Collins. The Chair apologizes, we're

skipping names. Senator Collins is recognized for a motion on the second Conference Committee report on Senate Bill 1001.

SENATOR COLLINS:

Yes, thank you, Mr. President. The...the first committee...Conference Committee report was rejected because...and the House acceded from their Amendment No. 2 which covered...it was a labor amendment, and now the bill is back into its original form when it passed the Senate. It is a part of the Prairie State Two Thousand. It creates the Job Training Partnership Coordinating Council, and I would move to concur now with Conference Committee Report No. 2. This is Conference Committee Report No. 2, yeah, this is No. 2.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Keats.

SENATOR KEATS:

According to our Conference Committee report, the CETA language has been removed.

SENATOR COLLINS:

Yes.

SENATOR KEATS:

Okay, with that, it's a fine bill and I would urge everyone to support it.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate adopt the second...second Conference Committee report on Senate Bill 1001. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report to Senate Bill 1001, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Senate

SB 1070
ack

Bill...1026, Senator Hall. Senator Hall is recognized for a motion.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move for the adoption of Senate Bill 1026 on the second Conference Committee. This...the House has receded from the two amendments that they put on, and now the bill is just like it left here before in its pristine form. That what it does, it creates small business divisions in DCCA to assist small businesses and that's what it does, and I'd ask that we do adopt the second Conference Committee.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate adopt the second Conference Committee report to Senate Bill 1026. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, none voting Present. The Senate does adopt the second Conference Committee report to Senate Bill 1026, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Senate Bill 1070, Senator Savickas. Senator Sangmeister.

SENATOR SANGMEISTER:

We all...very good, we all look alike...

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, Senator Sangmeister is recognized for a motion.

SENATOR SANGMEISTER:

Ladies and Gentlemen of the Senate, this is the asbestos bill that we passed out of here in its simple form. When it went over to the House there were a few amendments added on, all of which I think are acceptable and would urge you to accept, but I want you to understand what is in there. At the present time, when there's an award made on workman's

comp. and if an appeal is taken during that period of time, the rate of interest is six percent. This would increase it to one percent above the prime rate, I think, a reasonable addition. Another thing that...another amendment that was added on would provide for an expedition of the procedures before the Industrial Commission, in other words, help to speed up their hearings. That they must hold a hearing within fifteen days of a petition and render a decision within fifteen days. There seems to have been some delay in getting out the decisions. That's another amendment...went on there. A third amendment that went on there was that there would add a sixth commissioner, which would mean there would be one more additional commissioner to the Industrial Commission. And the fourth thing that went on there is that there would be a new chief arbitrator. They seem to have...I don't know, there's about thirty some arbitrators in the State of Illinois, and they need someone in the capacity of coordinating all of this, dispensing the business proportionately and so on and so forth, so they want a chief arbitrator put in there. And, of course, the original content of the bill extended the Statute of Limitations from three years to twenty-five years in asbestosis cases. And I would move that this Senate adopt Conference Committee to Senate Bill 1070.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt. Discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1070 we...I originally opposed when it passed the Senate. The original bill I...I had opposition to, and just between us, the amendments aren't all that bad, it's the bill I don't like. Trying to be fair, each of these will cost the business community, particularly the amendments will all cost a little bit; but, hey, they are reasonable things and I think, you know, when you're doing things some-

times it costs you money and that's life. The asbestosis extension is going to be a big ticket item eventually. And the only thing I say on the bill, and I, you know, I'm not as much arguing against the bill as much as saying we've asked the leadership of labor to perhaps help extend the freeze on the workman's comp. weekly benefits that would help hold down the costs. All these are reformed, some fairly small, that cost more when you're buying workman's comp. insurance. All we're saying on this is it would be nice if maybe just that phrase would be extended in the cost to rebalance, then there would be no cost. In terms of the bill, I don't argue strenuously against it. The sponsor has been very cooperative in dealing with it, but it's just a question of it increased costs and...and the business community asked for one minor thing that would balance off the cost so it would be basically no cost to anyone and the leaders of organized labor say, no. I don't know if you want to say let's hold this one and say let's try on a second Conference Committee report and see if they want to go with us, or if we just want to let it go based on the fact that while the bill has problems, we voted for a lot worse bills than this, let me assure you.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Yes, thank you, Mr. President and members of the Senate. I rise in support of this Conference Committee report. One of the things that's been most difficult, Senator Bruce, I think you'll recall this, in trying to effect and...reform in worker's comp. is the accusations that are made about dilatory tactics. And I think this two-tiered system will, in fact, expedite awards, give benefits to those who, in fact, deserve benefits and, hopefully, improve the system.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, I certainly do not object to the part on asbestosis because we have a Statute of Limitations for...radiation for twenty-five years, and if you include this in the Statute too for twenty-five years, there will be fewer lawsuits like the kind...engendered at the Johns Manville Plant, which is...has filed bankruptcy. There will be more coming under workman's compensation. I support the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I supported this bill the first time around and will do so again. I just wanted to make one point or perhaps ask a question of...of the sponsor...of Senator Sangmeister. That is, Senator, I wonder whether the...the interest rate that's provided on awards, whether it might not make more sense...you say it's apparently one percent above the prime rate, wouldn't it make more sense to have the interest rate be consistent...that which is provided on judgements?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Sangmeister.

SENATOR SANGMEISTER:

Senator Barkhausen, I imagine there's a number of ways that we can draw what is fair. In the amendment it says, and I'm not quite sure that I understand exactly how this is computed but rapidly I'll read it to you, "A maximum rate of interest payable by member banks of the Federal Reserve System on passbook saving deposits as published in Regulation Q or its successor, or if Regulation Q or its successor is repealed, then the rate in effect on the date of appeal." I...that's been used, I guess, in other areas. There's a

number of ways of what's fair interest. I think, as Senator Keats has indicated, that doesn't seem to bother him too much.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, thank you. As far as the negotiations between labor and management, I don't get involved in those things so I don't know what was quid pro quo here or what management should have gotten in return for these amendments or not. The only thing I was interested originally was that that Statute of Limitations, I think, is fair under the type of cases that come through asbestosis and I wanted that extended, and that's all that I wanted done at that time. And seeing as Senator Keats does not feel that these amendments are all that bad, I would appreciate we going along with the original concept as it went out of the Senate, and that was for increasing the Statute of Limitations, and that's what I'm really interested in, and move for adoption of Senate...the Conference Committee report to Senate Bill 1070.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1070. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Egan. Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 7, 1 voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 1070, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Senate Bill 1093, Senator Kent. Senator Kent is recognized for a motion on the

first Conference Committee report.

SENATOR KENT:

Thank you, Mr. President and members of the Chamber. I would move that we adopt the first Conference Committee report on Senate Bill 1093. This bill went out of the Senate on the Agreed Bill List, and everything after the enacting clause was deleted in the House. I refused to go along with that amendment and now this bill is in it...in a modified form of how it went out. The judicial...or the Judiciary Committee in the...in the House seems to have a different wording of the bill, so let me just explain what the modified version is. It limits the offense of unlawful sale of household appliances to...to those appliances with missing or defaced serial numbers which are kept for sale. It alters the penalty for a Class 4 Felony if the value of the appliances is over a thousand dollars, a Class B Misdemeanor for under a thousand dollars. It strikes the provisions which declare that unlawfully kept household appliances are subject to forfeiture. I think that this is a good bill and I would move for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Motion is to adopt. Discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1093. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 1093, and the bill having received the affirmative votes of three-fifths of the members elected is...effective immediately upon its becoming a law. Senate Bill 1222, Senator Berman. Senator Berman is recognized for a motion.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move to adopt Conference Committee Report No. 1 to Senate Bill 1222. This is...this bill is the other half of the debate that we had the other day regarding the consolidation of school districts. As I indicated when we passed Senate Bill 513...sponsored by Senator Kustra, this will give the Governor the alternative as to its retroactivity regarding the procedures that will be effected by reorganization provisions. The bill also addresses the question of the suspension and dismissal proceedings. I move to adopt the Conference Committee Report No. 1.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1222. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 53, the Nays are none, none voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 1222, and the bill having received the affirmative votes of three-fifths of the members elected is declared...effective immediately upon its becoming a law. Senate Bill 1226, Senator Newhouse. Senate Bill 1313, Senator Savickas. Senator Savickas is recognized for a motion. SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I would move concurrence...or adoption of the second Conference Committee report on 1313. This is the bill that provided for the park district concerns. It took the Broadway Armory and the other related items that were in the original Conference Committee report. There's nothing new added. The purpose of the second report was because so many of our members were in the Appropriations Committees and in Conference Committees, the bill received only thirty-three votes. More members are

here, and I would ask for favorable consideration.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Has the report been distributed?

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, the Secretary informs me that the Conference Committee report has been circulated. Senator Lechowicz.

SENATOR LECHOWICZ:

The second Conference Committee report?

PRESIDING OFFICER: (SENATOR BRUCE)

It...it should be there, Senator Lechowicz, I mean, it's quite possible we can miss a desk, but I don't think we have. Senator Lechowicz.

SENATOR LECHOWICZ:

A point of order, Mr. President. I do have the first Conference Committee report, and the gentleman said that we're moving the second Conference Committee report. My question to you, sir, has a second Conference...Committee report been filed and distributed?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator, this will be a white sheet, it is not one of the pink one...legal size. Senator Lechowicz.

SENATOR LECHOWICZ:

I do appreciate that, I have all my white sheets here. I'm on a...I'm on the program but, unfortunately, it was never distributed here. Now, I just got a copy from the staff which was in the file...now, wait a minute.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz, continue.

SENATOR LECHOWICZ:

I think...all I'm asking, if this has been distributed to all the membership, this white copy?

PRESIDING OFFICER: (SENATOR BRUCE)

The Secretary indicates it has been distributed.

SENATOR LECHOWICZ:

Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright.

SENATOR LECHOWICZ:

Now, on the amendment...now on the second Conference Committee. I believe we addressed this matter yesterday and there was quite an extensive debate on it. And the question is...and I believe the gentleman did point out, that it's identical as Conference Committee Report No. 1. And the only difference on this...there is no difference as far as the wording, but all we're doing is authorizing another tax increase on real estate to the taxpayers in the City of Chicago. And also you're changing your working cash fund from twenty-five to forty million dollars. Thank you, very much.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I'm also having trouble finding it, but I...there are a lot of papers on everyone's desk. I think, as I indicated before, there might be a justification for switching the bonding authorization from Public Building Commission to G.O.'s. I...while I am not...haven't traced it all the way through to know whether that really would save money or whether this really results in an increase in bonding, I understand the financing enough to know that that is a possible rational provision. But as far as I can see, at the very least, it does increase the bonding authority for working cash fund, and, therefore, increases the amount of property taxes that can be levied for that purpose, and I know of...I have heard no rationalization for that. It seems to me that there is no way to escape the fact

that it is another property tax increase in Chicago, and I, also, would oppose it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, we discussed this matter, it's been passed by the House twice, the same report; and I guess the question is, do we want to keep our recreation facilities operating. Do we want to pay it through the bonding source or through a tax levy that the financiers say would be almost twice as much to operate...install on the taxpayer as the bonding route. Some of the Senators' innuendos that it's a tax increase, well, they're going to pay if they want to keep their recreational facilities open through the bonding way or through a tax levy. I would suggest that if this is the cheaper way, and the financiers say it is, that we should look and adopt this Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the second Conference Committee report on Senate Bill 1313. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 42, the Nays are 10, 1 voting Present. The Senate does adopt the second Conference Committee report to Senate Bill 1313, and the bill having received the required three-fifths affirmative vote is declared...effective immediately upon its becoming a law. Senate Bill 1315, Senator Rock. For what purpose does Senator Kenneth Hall arise?

SENATOR HALL:

Senate Bill 1226, I was right here at the desk, I just failed to hear the call. I'm hyphenated sponsor on that.

PRESIDING OFFICER: (SENATOR BRUCE)

Well, Senator Hall, we'll get...I did call it and it is under the sponsorship of Senator Newhouse, so we'll...Senator Hall.

SENATOR HALL:

But I'm the hyphenated sponsor of it, and that's the reason I asked that I can sponsor it whenever you do get to the call.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Hall, we'll get back to you in a moment, we're ready to go on 1315. Senator Rock.

SENATOR ROCK:

I will yield to Senator Hall, I'll wait a minute...why don't we do that so we can keep going in order. 1226.

PRESIDING OFFICER: (SENATOR SAVICKAS)

On...1226, Senator Hall.

SENATOR HALL:

Thank you, Mr. President, and thank you, Senator Rock. Senate Bill 1226 is not in the form that it...and we have...the Senate concurs in House Amendment No. 1. And House Amendment 1 to Senate Bill...1226 declares that a physician shall determine whether a minor is disabled, and that's all it does. It was on the Agreed Bill List over here, and I'd ask that we would adopt this at this time.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Just to ask a question because all I see is a Conference Committee and it has not even as much information as Senator Hall conveyed. Senator...Schaffer, are...are you familiar with this? I just see that your...maybe you were busy, but you didn't sign the report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Well, let me ask a question. This bill was actually held for some time to be used as a vehicle for possible language for the hospitals. It's my impression that it was obvious we didn't have the votes or the money to do anything and we put the bill back in its original form, which I don't believe is offensive or a problem.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, the question is, shall the Senate adopt Conference Committee Report No. 2 to Senate Bill 1226. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1226, and the bill having received the required constitutional...having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senate Bill 1315, Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 1315, as it left the Senate originally, provided for one technical change in the Act that pertains to the Illinois Commerce Commission. By virtue of the Conference Committee Report No. 1, we are adopting, if this report is adopted, we are adopting House Amendment No. 1 which was added to this bill at the request of Representative Brummer who is the chairman of the House Utilities Committee. It has to do with a situation in Massac County, and I truly know little or nothing about it except Representative...Brummer assures me that it is a...it is of major importance to his area, and I will yield to Senator Bruce for that one. The other additional language that was added was added at the

request of some members and at the request of the Governor of this State. It increases the membership on the Illinois Commerce Commission by two people. Two additional people will be appointed to the Illinois Commerce Commission to raise that from five...to seven. This, as you know, became an issue during the course of the campaign. Attorney General Hartigan, for one, Attorney General Fahner, for two, suggested that the membership ought to be increased and those two additional ought to represent, perhaps...better represent, perhaps, the different geographical areas of this State and, perhaps, bring to bear on that commission more of a technical background. That is the...intent of this Conference Committee report, and I would yield to Senator Bruce.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce.

SENATOR BRUCE:

Thank you. Senator Rock has explained his amendment. The amendment which was added in the House is very critical to one particular utility in the State of Illinois and that is the Electric Energy Incorporated. That is a company which was created actually by the purchase of their stock by five separate utility companies in the State of Illinois; Union Electric, Illinois Power, CIPS and Kentucky Utilities. This company was organized in 1950, and it supplies power to the United States Atomic Energy Commissions and, now, the Department of Energy's plant in Paducah, Kentucky. And when it was first organized, the company sold their stock to the five named utilities and it was underwritten by two insurance companies. At the present time, they are suffering from a cash flow problem. This amendment authorized them to issue working capital bonds. They have...nearly sixty percent of the purchases that they make of coal are from southern Illinois. They have three hundred and thirty-five full-time employees within the State of Illinois and a payroll of over

ten million dollars. It is asking the Illinois Commerce Commission and giving them authority to approve the issue of working capital stock. The present law prohibits public utilities from going into debt, but most, if not all, of the stock will be purchased by the four involved public utilities, banks, trust companies, savings and loans and insurance companies who are already involved. I think that it makes good sense to keep a company of this size, particularly since it's already owned by five utilities, in operation in supplying electric energy to the United States Department of Energy in Paducah, Kentucky, and I would ask for your favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I rise in strong opposition to this...number one, about the two more commerce commissioners, I wonder who has campaign managers they want to put to work this time? We have...by passing through our Executive Committee and through on...on the Floor all of the Governor's appointments, it seems that most people on that committee, at least, don't believe that we ought to question the Governor's authority on picking anyone. I don't know why we don't abolish that part of the committee and...and for that matter, that part of the Floor debate. It was a fluke that we got Helen Schmid. And I...I just don't see any...any point in doing that. We are going to dilute that authority more so that we can't find anybody to blame. We ought to have one person in there, and if they don't do right...then we could throw them out. I...I just...I cannot see any reason to put two more members of the Commerce Commission...two more members on the Commerce Commission because it will just...we won't know who's doing what to whom. And as far as bailing out some utility company in Paducah, Kentucky,

we've got enough troubles of our own in this State. I vote we throw this Conference Committee out.

PRESIDING OFFICER: (SENATOR SAVICKAS)

(Machine cutoff)...Marovitz.

SENATOR MAROVITZ:

Well, I, too, join the chairman of the Public Utilities Committee in rising in opposition to this legislation. I have no qualms, and really, frankly, I don't know anything about the first part of the bill; but as far as adding two members to the Commerce Commission, boy, I'll tell you, if we want to stick it to the public, here's another shot. If we didn't stick it to them bad enough by giving them a lousy CUB that they're going to be deceived about, this will...this will really do it. Now, I think this is going to cost about a hundred and sixty thousand dollars in terms of salaries and staff for the two commissioners. We could better use this money in helping to get staff to inform those interveners that want to challenge the continual escalation of rates in the State of Illinois, use the money for that. We could probably hire eight, ten...eight, ten people for that kind of money as opposed to putting two new commissioners on that are going to be appointed by the Governor. That's all well and good. I have...I have more confidence in my...my chairman of Public Utilities than the present chairman of the commission. I think we ought to give him a chance to work. Why we need two...two new commissioners, there is absolutely no reason at all. The...the...some proposals that were offered during the A.G.'s race were to have partial elected Commerce Commission, partial appointed. Well, we go another step here and have more...more appointments. There's absolutely no reason for this. It's costly, it hurts the consumers, it helps nobody, it's dumb, it's ridiculous. I want to verify the roll call if it gets the requisite number of votes.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and members of the Senate. I rise in support of this Conference Committee report. Quite a few of these bills dealing with this issue came before the Executive Committee. The...some of these issues were discussed in the Executive Appointments Committee, both of which I serve on. And I remember hearing the discussion one day, I think it was in your committee, Senator Joyce, where a bill was being presented that would require Commerce Commission members to attend hearings, at least one member; and Chairman O'Connor attended that meeting that day, and it was either on that occasion or at a later occasion when he made the point that if, in fact, this requirement were carried out, that they simply wouldn't be able to comply with the law because of the volume of hearings that are held by that commission. I think the fact that Attorneys General Fahner and now Attorney General Hartigan both support this idea certainly...lends credence to the Governor's suggestion. If you oppose the idea...that is, if you support the idea of an elected Commerce Commission, then I suppose you're going to be automatically against this idea. But if you want to make our Commerce Commission work, the kind of Commerce Commission that we've decided to have, then I think we really need to expand the membership. Now, it's easy to demagogue about the people that are on that Commerce Commission. But I would challenge the members of this Senate to name the members of that commission. I bet there aren't six members here who can name the members of the Commerce Commission. You all know they're bad, we hear a lot of talk about it, but you don't know who they are. I happen to have a list here of who they are, and not that their names are so important, but I...I remember one Daniel Rosenbloom who was the subject of considerable debate here, and that the...the Republicans and the business com-

munity didn't want. He's a member of the commission. You think he's lost all of his background now that he suddenly is a member of the commission? You think he no longer speaks for consumers? There are other members of this commission that were appointed by Governor Walker. And every member of this commission has been approved by the Senate Executive Appointments Committee where you have input and the members of this Senate have input. I think this is a practical idea. I think it will help the Commerce Commission work better whether our Governor is a Republican or a Democrat. I urge support of this Conference Committee report.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Senator Chew.

SENATOR CHEW:

Mr. President, the Commission on Economic Development held meetings throughout the State of Illinois. It was the opinion of the persons that attended these meetings throughout the State is that if the Commerce Commission membership were increased, then there possibly could be representation from all sections of the State. The chairman has approved of the increase. We had one former Commerce Commission member to testify, one that has been considered the expert in the State of Illinois in this field, Mr. Cyrus Colder. His testimony was so impressive until he was asked would he lend his services to this commission in an advisory... position, which he agreed without compensation. He has published several booklets on the Commerce Commission and its duties. One of the other things that he said I though really struck home, and that was that you need additional staff to keep up to date with the current happenings, that the commission was understaffed, and he advocated additional membership. Surprisingly, in these hearings that we had, it was not whether they were appointed or whether they were elected; the importance of what we got out of these hearings was the fact that

the commission needs to be expanded. I don't get into...involved as to who appoints or who doesn't appoint. If we think that the commission is not functioning properly to satisfy our desires,...and some of us are going to use this as a campaign issue, we get that horse and whip it to death, and some of us will go around says I voted to keep other members off and I voted not to confirm this or to confirm the other. If we were to spend as much time trying to get out of this Legislature productive, we would be better off instead of trying to look for some political issue to run another campaign. I would agree that the commission should be expanded, whether it's two, whether it's four, I don't care. But then it will just give you a better classification of people in a wide range throughout the State. And you talk about the cost, every time we pass a piece of legislation in here there's a cost to it. State Government must be funded and State Government must be operative properly. You're not as concerned about the cost as you are getting your message over as what you don't want. Senator Marovitz is talking about it will cost a hundred and eighty-six thousand dollars. For all these little nickel bills that he has gotten through here or attempted to get through, you can't begin to measure the cost that he has on no-fault divorce, care of babies before they're born and a thousand other things. He should be the last one in this General Assembly to talk about the cost of government, because I've looked at his array of bills and they're that long.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Chew, would you bring you remarks to a close.

SENATOR CHEW:

Yes, I will, sir. And, you know, we ought to be responsible and quit trying to make brownie points on...at the expense of others. I'll assure you, Senator, that you can never stay down in the gutter and hold somebody down there

unless you're down there with them.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Kustra.

SENATOR KUSTRA:

Well, thank you, Mr. President and members of the Senate. Just a word to...to remind us that this isn't simply a utilities issue. We are today, and yesterday, systematically, board by board, commission by commission, adding members, adding people to the State payroll, and I think that's the question here. At a time when we're...still supposed to be in fiscal crisis, I think we ought to be looking for ways of cutting back; and if there's a backlog, that's just tough. Then these agencies are going to have to operate under duress until such time as this economy recovers and we bring more money into the General Revenue Fund to do these kinds of things. That time is not now.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. It's...I find it curious, and I'm not sure if this has something to do with the attempt by the Governor to add two members, but recently a rate increase was granted up in my area to Illinois Power Company; and after Mr. O'Connor was appointed chairman, they decided they were going to reconsider their vote, and Mr. O'Connor said one of the reasons was that he wasn't so sure that...one of the reasons the commission said was that they weren't so sure that they should include all items of construction work in progress in the increase granted to Illinois Power Company. And after that statement is made, here we are two months or three months from that date, after the hearing and before the reconsidered decision, adding two more members to that commission. I don't know if this means that the Governor is somewhat nervous as to the commission now changing its stance

on construction work in progress or not. But in any event, it seems to me that to put seven members on the Illinois Commerce Commission and say that they have a great workload and they need two more members also justifies putting, perhaps, two more members on the Supreme Court, because they certainly have a workload and they cover more area of the...they cover the same State and they certainly have a more difficult task to perform. I could support seven members on the Illinois Commerce Commission, but...and perhaps if we would take this committee report back and put...and state that they would be elected, I would vote for that. But I think that what we should do here, if we're going to spend more money on the Commerce Commission, why don't we pay for more staff members so that they can adequately analyze the arguments made before them and, perhaps, come up with some arguments of...of their own as to whether the proposed utility rate increases are fair or not. And I would urge a No vote at this time. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

A few minutes ago Senator Welch was our last speaker, it's quarter till five, July 2nd. We are...now have three more speakers that wish to be heard on this issue. Senator Geo-Karis.

END OF REEL

REEL #8

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, very briefly. I did support an elected Commerce Commission; however, the Democrat leadership in the House saw fit not to accept it and, therefore, I think if we add two more new faces on that board, maybe they'll do a better job.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bloom.

SENATOR BLOOM:

Briefly, the Governor's handlers...no, briefly, this isn't so bad and...and here's why. Starting the year after next, there'll be a member of the Commerce Commission up for either appointment or reappointment every single year. So, each year this Body will have input into the operations of the Commerce Commission. One of the problems in the past three or four years has been that we have not had that kind of regular oversight input and, therefore, I think that for this reason alone it's worthy of consideration. Another reason, Senator Bruce and I had a bill that expanded the Open Meetings Act to the Commerce Commission, this way at least two at a time can get briefed. Thank you.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? Further discussion? If not, Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I hope Amendment No. 1 did not get lost in the...in the verbal shuffle around here. It is extremely important Representative Brummer tells me to his area, and I would hope that we would give that full consideration. To those who have voiced some objection about adding two new members, I

would point out again, it's an attempt, at least on my part, to help the Illinois Public Action Council. They've been crying for a long time to have one of their members or somebody representing that group on here, now the Governor's got a chance to appoint somebody. These appointments are to be made, if this provision is approved, no later than the third Monday in January 1984, and that's for a specific reason, because we come in the week before. And they will, too, be subject to the...our advice and consent. And as Senator Bloom so rightly points out, each and every year thereafter this Assembly will have a whack at a member of the Commerce Commission, and I don't think that's a bad idea. I think...Mr. O'Connor, and Mr. Barret, and Mr. Stalon, and Mr. Rosenblum, and Miss Kretschmer deserve some help. This will afford the Governor the opportunity to make one appointment from each of the two major political parties to this commission. The money is there to be paid for. I'm going to...Senator Philip and I will go over to the Speaker's Office and make sure it's there when we represent the other bill. But I think this is a legitimate request after having the Commerce Commission be literally the whipping boy of this Session, we are suggesting to the people of this State, well, perhaps they need more help. We'll afford the opportunity for two new...two new members so that we can, hopefully, bring some sanity to that operation. I think the new chairman is doing that already and he...he needs some help. And I don't believe that we do not exercise our...our advice and consent role. If you don't believe it, ask Helen Schimd, or ask Beverly Adonte, or Mary Lee Leahy, or David Fogel or others that we've turned down in the past. I also happen to believe that the Governor of any political persuasion has a right to choose qualified...people he feels are qualified for positions, 'cause he lives or dies with them politically. His administration lives or dies with them. I don't think

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this is a bad idea. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall the Senate adopt the Conference Committee Report No. 1 on Senate Bill 1315. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 14, 2 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1315, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Bruce.

SENATOR BRUCE:

With leave of the Body, there...I have just received word that on our Calendar is a Conference Committee that the House has already rejected and I'd like to dump that on if we can. On Page 6 of your Calendar is House Bill 320, and I would just like to move to not adopt the Conference Committee and request a second one, if we can do that.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Bruce has moved not to...Senator Bruce, I've been informed by the Secretary's Office that that action has been already taken by this Body. We acceded to the requests of the House request for a second Conference Committee.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. On the second Supplemental Calendar, House Bill 1002, Senator Coffey. On Supplemental Calendar No. 2, House Bill 1002. Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. First of all, I'll say what this bill did originally when it started out. This bill started out as a very minor thing to allow counties to hold county board meetings in other build-

ings other than the courthouse. Now, this is being done, as I understand, already all over the State. We've had some challenges in our area saying that the...the Statute calls that those meetings should be held in the county courthouse, and we have problems because our circuit judges have said that they need to take over some more room in the courthouse. They don't have anywhere to meet and they have other county buildings they can meet in, and so we started out trying to clarify that in this bill. Since then, its been added a couple other things. One is to allow the public employees to have an opportunity to be on the agenda to speak on issues that come before the county board, which is a minor thing. The other part of it is a...I think, is a major change. I think it's a...a fair change, but I think it's very important everybody listens to what this does, because we are in the last few minutes of Session...or, hopefully in the last few hours of Session, and this is...this is a tax increase without a referendum. And if I could just explain what this does. This report raises the election tax in counties under one million from .03 percent to .055 percent in the EAU which will allow them to raise revenues to hold elections. The...originally...Cook County is out of this bill under this provision and also DuPage County has been removed. This allows those counties that are...are having taken over these elections, which are now losing money, and in some of mine is only, under the present levy able to raise about half what it takes to actually...to carry on those elections. So, we're...allowing them to go up at that rate to generate more money for that...for those reasons. It does say that if they...with this levy, if they accumulate more money than it actually takes to carry on the election, that then on their next levy they have to take that into consideration. They can't build up a fund or neither can they transfer this for other purposes. So, they are limited only to levy to the

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maximum as long as that what it takes to actually carry on the election. And I'd ask for a favorable roll call on this Report No. 2. I'd be glad to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate adopt Conference Committee Report No. 2 to Senate Bill 1002. Those in favor vote Aye...vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 21, none voting Present. Sponsor requests postponed consideration. House Bill 1192, Senator Bloom. Senator Bloom.

SENATOR BLOOM:

There's a problem with that. I wonder if we could dump it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bloom wants to dump this. The question is, shall the Senate adopt Conference Committee No. 2 to House Bill 1192. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 8, the Nays are 28, 3 voting Present. The Senate does not adopt Conference Committee report on House Bill 1192 and the...and the Secretary shall so...so inform the House. Senator Bloom requests an additional Conference Committee. The Secretary...informs me that it was the first Conference Committee, that the board was wrong. That...Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

I just wanted to point that out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 219, Senator Watson...Senator Rigney...Rigney. 219, Senator Rigney. Senator Rigney.

SENATOR RIGNEY:

Well, Mr. President, Senate Bill 219 is the one here again addressing the question of the consolidated elections, providing the procedures for consolidating up to five precincts in those off-year elections. The problem with the present law is that if you combine, you can...can combine up to four precincts but you must have three election judges per precinct. Or, in other words, you would have twelve people sitting around there on election day twiddling their thumbs and drawing their pay to conduct these off-year elections when, in most cases, very few people are actually voting. Obviously, this cries out for some change. Now, if you'll recall from our dialogue on this issue yesterday, it seemed like the problem tended to be with the second amendment that was adopted over in the House, and I think there was a certain amount of misunderstanding on this. I think there were those that thought it was doing something as far as delegates to conventions were concerned, or something of this nature. All we are talking about under Amendment 2 is, basically, the DuPage County Board of Election Commissioners made up of three people. Let me tell you how they're appointed right now. They're appointed by the chief circuit judge, and as I understand, he makes it a...a matter of courtesy to visit with the Republican county chairman and the Democratic county chairman, and takes some suggestions as to who they might like to have on the...the Board of Election Commissioners. Now, you know we are about the process of taking these appointments away from the Judicial Branch of government, and in most cases appointments of this kind are given to the county board; and that's what Amendment No. 2 does, it gives that appointment to the county board. The only thing it does in addition to that, it says that the Republican chairman and the Democratic chairman can each submit a list of...of three names to the county board chairman, and then the county board

chairman will select one of those names off of that list of three. In fact, we even give a little escape clause here. We say that if the county board chairman is not satisfied with the first list, he can go back to either the Republican chairman or the Democratic chairman and even ask for a second list of three. So, I think it's good legislation. It does give the parties a little input into the process of picking the Election Commission members, and I hope that this does clear up any misunderstanding in regards to 219.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall Senate...shall the Senate adopt the Conference Committee report on Senate Bill 219. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 6, none voting Present. The Senate does adopt...the Conference Committee report to Senate Bill 219, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senate Bill 310, Senator Vadalabene. Senate Bill 310.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. The...Senate Bill 310 is the second Conference Committee report for the pay increase of the regional superintendents of schools. That's it, get it out of your system so we can...now, what they have done in the Conference Committee, they've agreed to remove the one thousand dollars every year increments, that is gone. They've also stayed with the five thousand increase and nothing else. This will give them a pay increase. If we don't do something, they'll be locked in for eight years. With the negotiation and with the wisdom that you have used in the past two conferences, this will be

a savings of nine hundred and sixty-nine thousand dollars in '82...or nine hundred and sixty-nine thousand dollars. I believe this is fair, this is a compromise. I think we've heard it long enough and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, is there any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, Mr. President and Ladies and Gentlemen...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Lechowicz, just a moment. Senator Buzbee, for what purpose do you arise?

SENATOR BUZBEE:

Point of personal privilege, Mr. President. I think it's...

PRESIDING OFFICER: (SENATOR DEMUZIO)

State...state your point.

SENATOR BUZBEE:

...not...I think it's not very fair of you when your...when your fellow ethnic brother is presenting a bill, that you turn off the lights so the television cameras can't be taking his picture, and I just thought...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, turn the lights on, turn the lights on, turn the lights on. Senator, would you rather start over? Senator Vadalabene.

SENATOR VADALABENE:

No, I wouldn't want to start over, but you've got to take into consideration, Senator Buzbee, that Senator Demuzio is only half Italian.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

From what I understand, that was his better half. Now, Mr. President and Ladies and Gentlemen of the Senate, if I

may address myself to Senate Bill 310 on the second Conference Committee report. This is the fourth time we have addressed this issue to this Body. I thought three times and you're out. Really...unfortunately, this thing...you know, seeks a new life in a new version. Unfortunately, the fact is still the same. It's a salary increase not only for the superintendents but for their assistants. And if you also take a look on page 2, if you have a...if you're without a Bachelor's Degree but a State certificate, it goes from fifty-five to sixty-five percent. Bachelor's Degree gives you a seventy percent and a Master's...Master's Degree gives you eighty-five percent. I think this Body has spoke on this issue a number of times. I won't take the time of this Body any further on this issue, just to remind you exactly what it is. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Buzbee. Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, very much. The question did come up yesterday about what does a regional superintendent do, and I'd like to list some of the things they do. Alright, alright, let me just do this then. Let me...let me just show you the list. It's about three pages long. Come on, guys, I mean, you know, these guys do work and I...and I think it's about time we...we did something for them.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene may close. Oh, Senator Bruce. Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. I rise in support of this pay raise. Sam Vadalabene has worked long and hard on this matter, and it's not three strikes and you're out. It is a matter of...of Senator Vadalabene work-

ing with fifty-nine members of this Body and trying to get an acceptable amount of money. Sam and I have probably been acting as negotiators between this Body and the regional superintendents. They came with one proposal, it didn't work. They came with a second one in the Conference Committee, that was not acceptable. I think that we have worked to get a reasonable compromise. These gentlemen are going to be serving the next four years running the schools in the State of Illinois and they will get a five thousand dollar raise, and that raise will be for that entire period of time. We have taken off any add-ons, it is a straight one-time bump in their salaries, that's all we're talking about. And I would think that that is reasonable. They've made a request, if we pass it out of here now, it will become law in time for them to take office in August. But it is not an unreasonable request. I don't believe it was in the other times, but certainly this cost has gone down dramatically. We're now talking about something approaching seven hundred thousand dollars State-wide for the fifty-seven of these regional superintendents, and I think that we ought to...the House has passed this already by the necessary three-fifths today, and we ought to do the same.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Sommer.

SENATOR SOMMER:

Perhaps the sponsor could respond. I may not have heard it, but I...I did the dangerous thing and started looking at the bill. Am I on the right one, Senator Vadalabene, where the assistants were bumped...the percentages that they will receive were bumped up?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

They were bumped down and then they were bumped back up

due to the...to taking the increments of one thousand each year away, and they were bumped back up with a flat five thousand, and they get a percentage of the regional superintendent's office according to the county and the degree.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Well, what percentages do they get now, maybe that would clarify it?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Alright. With no Bachelor's Degree but State certificate valid for teaching and supervising, sixty-five percent; Bachelor's Degree plus State certificate valid for supervising, seventy percent, and a Master's Degree plus State certificate valid for supervising, eighty-five percent of the regional superintendent's salary.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sommer.

SENATOR SOMMER:

Well, let's take one of these. What was the percentage previously...have we increased the percentage that the assistants received by ten percent? In other words, have the ten...have the assistants received a ten percent increase plus the increase that the...that their...that the regional superintendents have received?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, their former...their former percentage was fifty-five percent in the lower bracket and...yes, it's ten percent exactly, you're right.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. You know, here we go again. I...I'd just like to say to the sponsors of this that they may be fine fellows, those regional superintendents; but, you know, we...we just passed a bill that let people on general assistance be sick for one day with a five hundred dollar cap, and we're going to give these fellows...yeah, maybe a half a day Senator Collins says, and we're going to give these fellows a pay raise, I cannot see it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, first of all, Bev, thank you for your support, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright, the question is, shall the Senate adopt Conference Committee report on Senate Bill 310. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 17, 2 voting Present. The Senate does not adopt the Conference Committee report on Senate Bill 310. Senator Vadalabene requests postponed consideration. Postponed consideration. (Machine cut-off)...of the Supplemental Calendar. Alright, I am told that...Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

...did you declare the outcome of that vote, Mr...President?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The sponsor requests postponed consideration.

SENATOR SCHUNEMAN:

Oh, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll was off the Floor...apparently, this morning and received leave of the Body to return to Page 7 on your regular Calendar, this morning's Calendar, the regular Calendar, back to House Bill 1371. On Page 7 of your regular Calendar, House Bill 1371. Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Conference Committee No. 1 was to clarify some language in this amendment to the Purchasing Act which has been suggested by the various divisions of the Legislative Branch that are operating divisions. What the amendment now does is says that, as to late payments, the interest should not run until thirty days after it's late or thirty days after the bill becomes law. There was a concern in the original draft that should the Governor not sign this for ninety days, there may be some interest due in owing when it wasn't law, and I would urge adoption of Conference Committee Report No. 1. It's just a clarification within the Purchasing Act...asked for by the Legislative Information System and others of that ilk who are our service arms.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Senator Bloom.

SENATOR BLOOM:

Rummaging around on my desk, I...I don't have a copy and I don't see any of our handlers here. Was...well, I'd like, you know, did we all sign it and all that good stuff? Oh. Okay, okay, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is...further discussion? The question is, shall Senate bill...shall the Senate adopt the

Conference Committee report on House Bill 1371. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1371, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Alright, let's go back to our Supplemental Calendar No. 2, Page 2, on the back. Senate Bill 313. Senator Vadalabene.

SENATOR VADALABENE:

Thank you, Mr. President and members of the Senate. Senate Bill 313 is now back over here in another version. Senate Bill 313 is a bill now that increases the judges throughout the State of Illinois. In Cook County, three new judges; in the suburbs, one; in Chicago, five, for a nine total. In DuPage there'll be two additional judges. In the 5th Judicial District, three, and in the 2nd Judicial District, four, for a total of fourteen judges. I believe because of the jam and the logjam in all our courts in the State of Illinois, and the people are crying to get their cases heard, and people are saying, when are we going to put more people in prisons of which we don't have room, we need more judges. So, I can't explain it any further than that. It's a new concept, it's a new...the bill has been amended now, again, and I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. Will the sponsor yield to a question or two?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

What's the fiscal impact of this Conference Committee?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, I'm glad you asked that, this time I'm a little ahead of you. Eight hundred and ninety thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Is that a State mandate, does the State pick up the cost?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

And may I ask you who picks up the cost for the courtroom, who picks up the cost of the court clerk, who picks up the cost for the state's attorney's office?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

The counties...pay for that is what I've been told here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

And if it's passed on to the county, is that passed on to the taxpayer?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Certainly it's paid by the taxpayer, who else pays our

bills?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz.

SENATOR LECHOWICZ:

Very briefly then, Mr. President and Ladies and Gentlemen of the Senate. Here we are, probably had an appropriation of about a million and a half. Again, a lot of public input, a lot of public desire to increase the number of judges, the prosecutors, the clerks, the sheriff's personnel, and really no impact from the public except the taxpayer is going to have to pay for it. If you want to vote for this matter, please do so. I'm going to vote No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. Just an observation, you know, if we don't get out of here pretty quick, we're going to have to have another income tax increase.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Mr. President and members, I'm not familiar with all the deliberations that went into this Conference Committee report, but it would seem that even if the increases in judgeships are based objectively on population increases, that the allowances made for certain counties and not others would be fairly subjective. I notice, for example, that DuPage has two new judges; Lake, which, of course, is somewhat smaller than DuPage, but I think which has gained in population by roughly the same proportion, has no new judges. I know this bill didn't come through our Judiciary Committee and I've never seen it before, and I would question whether its had the...the thought go into it that it would require, and I think...at this late stage of the game a No vote would

be most appropriate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Is the appropriation for this bill included in the appropriation for the Supreme Court that was submitted to us in the Conference Committee report on Senate Bill 384?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

No.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, then, Mr. President, I'd like to point out to the membership that the point I made earlier on Senate Bill 384 was that the Supreme Court appropriation is up by some ten million dollars. Now, as I remember the numbers from the discussion of the pay raise that was given to the judges last year, about six million of that was to go to pay for those pay raises for the judges. Now, we want to add another million dollars or so for new judges. Senator Vadalabene said we need more judges, and I think what we need is more justice, and...I really don't think we necessarily get that with more judges. We've gone too far in this direction, I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yeah, first of all, in closing, should this bill pass, it would not take effect till 1985. Secondly, I believe that the...that the...the way they arranged the different judges throughout...throughout the State, if I recall, is not by population but by caseload. And any more than that, I can't ask but for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The...the question is, shall the Senate adopt the Conference Committee report on Senate Bill 313. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 17, the Nays are 35, none...none voting Present. Senate Bill 1313, Senator Vadalabene...no, Senate Bill 313 is...is...is declared lost. The Conference Committee report is not adopted and the Secretary shall so inform the House. Senator Vadalabene.

SENATOR VADALABENE:

Yes, I let it go down, but I...I just got an observation I want to make. Now, I'm going to get lucky and...my bills are not going to go back over there and come back in...with something else in it...I'm going to get lucky now, ain't I?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, not on that one, that was your second Conference Committee and that's it. (Machine cutoff)...moves to reconsider. Senate Bill 589, Senator Kelly. Senator Kelly on the Floor? Alright, on your Supplemental Calendar No. 2, on Page 2, on the back, Senate Bill 589. Senator Kelly.

SENATOR KELLY:

Thank you, Mr. Speaker...Mr. President. 589, I want to move to concur in a Conference Committee report. It's...it's the same as it was previously except that they had added the leadership to be able to have flight priorities on the...the airplanes. And 589 is...in the original concept went through

with a unanimous vote, but that related to private bus carriers...public bus carriers not competing with private bus carriers, and as far as I know, there wasn't any objection to that, but there is some concern whether or not the leadership should be...have...of the House and Senate should have flight priorities. And I believe this has been a...a practice that's gone on for several years, and there are some of my fellow legislators that feel that all of us ought to be on this, and I...I think we should leave it the way it is, but there probably will be some objections.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. I scanned this and I don't see anywhere where the members of the General Assembly are included on any priority list. I don't use the State plane so I really don't care. But I think if you look that over, the staff of the majority leaders and minority leaders are listed, but there's nowhere of the members of the General Assembly. So, you fellows that use the Air Force, you better look that over a little bit.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Savickas.

SENATOR SAVICKAS:

Yeah, I...I concur with Senator Darrow. I'm one of the users of these priority planes, and it seems that when we go on these planes, everyone gets to hold the plane and move it before the members of the Legislature. I think we ought to hold this a little bit. I don't know if the staffs are more important than the members themselves, but I think that ought to be spelled out here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. The Conference Committee report that came before me, and I made that request that the members of the General Assembly be included in that and was denied in the Conference Committee. I...I think if there's...if it's necessary to state any priority in this legislation or have any priority whatsoever, that the members of the General Assembly should be included before staff. Now, I can recall one time when there was a plane grounded and staff bumped me from...being able to go to a commission meeting in Chicago, and I think that...I think the members of this Body should object to that. Now, I don't...I don't mind being bumped by the Governor, Lieutenant Governor, any constitutional officers, leadership; but I think when it gets to that, the other members of the General Assembly should have some priority on how those State planes are used, and I think we ought to turn this Conference Committee report down until we get it changed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Well, I concur with the last speaker in total, Mr. President. In fact, if you read this Conference Committee report, as a member of the Senate or the House, you can't even fly the planes unless you're in leadership or unless you're a staff person.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator...Senator Lechowicz, can I interrupt you for a moment. Senator Kelly, you are recognized for a motion. You want to dump this and send it back, right?

SENATOR KELLY:

...yes, sir.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall the Senate adopt the Conference Committee report to Senate Bill 589. Those in

favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 6, the Nays are 26, the...2 voting Present. The Senate does not adopt the Conference Committee report. It...it is not adopted and the Secretary shall so inform the House that Senator Kelly requests an additional Conference Committee. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Well, unfortunately, at the final hour I seem to be having trouble with these switches. The last vote it...I pushed the button and it did not work, and I've been pushing, it's been registering on the board but not on my panel here. Now, this last one didn't register at all, so...

PRESIDING OFFICER: (SENATOR DEMUZIO)

We'll have somebody come down and take a look at it.

SENATOR MACDONALD:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 690, Senator Chew. Supplemental Calendar No. 2, on Page 2, Senate Bill 690. Senator Chew.

SENATOR CHEW:

Thank you, Mr. President. I think all of the problems with 690 have been ironed out. The...the opposition, I believe, it's been cleared. Everything in 690, Mr. President, has passed out of this Senate with an overwhelming vote, like 56 to 2, 46 to 5, and et cetera. There is absolutely nothing wrong with it. If it is, I'd like somebody to tell me and I'd answer any question that's pertaining to it; otherwise, I would ask for a favorable roll call and to accept the Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. I rise in favor of this bill also. We had our staff on this side of the aisle to examine this proposal. There was some question earlier, that question has been clarified, and I think we ought to support this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bruce.

SENATOR BRUCE:

Thank you. Senator Chew, I wonder...we have debated in this Body with some heat the question about damaged vehicles and what to do with salvaged titles, and I have before me a document purporting to be the second Conference Committee report, and you fail to mention about selling damaged motor vehicles. I have a lot of salvagers in my district. What are we doing to the salvaged title? Why is that language in there and why is it never discussed?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Mr. President, that was discussed. It was brought from the Motor Vehicle Laws Commission, it was passed in a bill. See, the current law provides that any owner who sells or in any manner disposes of any vehicle as wreckage or salvage shall before disposing of such vehicle surrender his certificate of title along with the proper applications and fee to the Secretary of State, and a salvage certificate will be issued. This is not to leave anybody in the dark. If you purchased a car that has had fifty percent damage or that has been totalled, and it is purchased by a repair shop, before that car can be sold, it will have a salvaged title attached to it so the buyer will be totally aware. We cleared it, we had found no opposition and we worked with it until we...alleviated all the opposition, and that is the current law.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Well, what do you do about salvaged titles? Is it still an SV title? Does it show on there the damage?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

The title itself does not show the damage. It couldn't do that, Senator, simply because one repair shop might charge you fifteen hundred dollars and the other one might charge you fifteen-fifty. So, you do not include the amount of repair on any title. That is unconstitutional. But the fact is that the car is purchased with a salvaged title, you know that car has been damaged. And where we're dealing with fifty percent or more is when it would be included as a salvaged title.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

My question is on salvaged titles. Presently, if I go buy a car that has been salvaged it shows SV on the title. My question is, will it continue to show SV on the title after this proposed Act becomes law?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

The answer to your question, sir, is yes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Has anybody looked at this gem? This is a beauty. Now, Senator Bruce addressed a section that is...is of interest, I'm sure, to a lot of folks in my district, but I'm going to

address another section. The bottom of page 2, starting with lines 30 it says, "No person shall operate any motor vehicle with a model year of 1973 or later on any highway with the front windshield, side windows to the immediate right and left of the driver, or side windows forward of and to the left and right of the driver that do not meet the requirements of the Federal Motor Vehicle Safety Standard 205 in effect at the time of its manufacture, or either covered by or treated with any product or material which would alter the glazing color, increase its reflectivity or reduce its light transmittance." Now, as I understand that, what that means is, first of all, you can't have your fly windows open if you've got one of those cars that's got the fly windows. Now, I know that it says 1973 or later and I'm assuming that no model...is manufactured past 1973 has those fly windows. But we're going to make it the law of the State of Illinois now that you can't...you can't open those things. And then, we're going to go on and we're going to say, if you have one of those vans, or if you have a car that has the reflecting...or the...the type of glass that keeps out the glare, you can't do that, it's illegal. Now, just how far are we going to go in getting into people's private lives? We're now going to tell them how far they can have their windows open on their car, we're going to tell them what colors the windows will be, we're going to tell them that you can't have any privacy in your car and, furthermore, you can't reduce the sun glare that comes into your car because some nut in the Federal Government decided it wasn't a good idea. Whatever happened, first of all, to individuality, and whatever happened to state's rights? Now, I know what the answer is going to be, just like we got the answer the other day, if you don't make the bumpers on your pickup trucks conform, we're going to lose all of our Federal highway dollars, and the answer is going to be the same thing on this. If we

don't conform, we're going to lose our Federal highway dollars. Why are we doing this? Why don't we put this thing to rest and let government stay out of the pockets and the lives of our citizens? We don't have to do this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Coffey. Well, his...his time was up. You can answer that when he closes or I'll...I'll allow him to come back on...on second recall. Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. Then, to answer that question. Earlier, this Body passed a bill out that did just exactly what, Senator Buzbee, you're discussing there now. This...there was a...the Motor Vehicle Laws Commission had had hearings and the Illinois State Police and others testified before us saying that when windows from the drivers or the passenger side and the front window is used with a film, it allows them not to be able to see inside that vehicle. It is a dangerous condition for law enforcement officers in entering those cars. When they...when they approach a car now, they put their spotlights in the mirror to reflect inside the vehicle to...to make sure when they enter...or approach that vehicle that...that there's not a gun or some kind of weapon that might be pulled. And, you know, we have lost some of our State troopers. So, this bill didn't...as far as I know, I...it does conform with what the Feds have, but this bill was heard and we had a lot of testimony and we thought it was a safety provision. Originally, they wanted to say you could not put this film on any of your windows in your automobile, and we...when we finally changed it to say that only on the passenger and the driver's side and the front window. Any windows back in a van or anything else can still use that film. That was a compromise we made with the Illinois State

Police saying, we will give you this safety and protection but you still have to allow a citizen that wants to use his van or...or their van for camping purposes that they could have that film on it to give them some privacy. That's the...where this bill came from. It came before this Body, passed...passed out of here, I think, with 40 or 50 some votes, 56, and...and was one of those bills that our good friends across the Rotunda never had the courtesy to call and they just went home, as you know, we discussed that. I think it's a good bill and...and all...each one of these...we originally dumped this thing, and...and I asked our staff to take a look and see what there might be in here. No disrespect to the sponsor of this bill, but it's our responsibility to see that staff does that. They came back to me with the report, told me the bills that was in here, bills that we'd already addressed, and it...and it should be, I think, a good bill; and this provision that you discussed, I think, is a...is very necessary for the...for the safety of our law enforcement people.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Zito.

SENATOR ZITO:

Just on a point of...clarification. I wasn't going to rise on this, but I don't know about the other provisions in this bill, Senate Bill 411 is the amendment that Senator Buzbee is speaking on. Senator Buzbee, maybe you're not aware of policemen's rights in this State or in any other state, because there's been a number of...of documented incidences whereby this film or this spray paint that you can't see in the car, police officers have walked up to check the car and have either been seriously injured or killed because of results. We also introduced the bill because many times you use...excuse me,...many times you, with peripheral vision and even direct vision, look through another automo-

bile at an intersection or turning and cannot see because this is inhibiting. It was not 1973, we've made it to 1978 models or later, from what I remember. And this bill passed out of here, as Senator Coffey said, 56 to 2 when we had the bill the first time. If you thought rights were violated now, you certainly didn't reflect that in your vote, Senator Buzbee, and...and I think the time is getting late and we're all a little tired, but...it was quite innocent why we introduced it. I think it's a good idea and I think that that's one of the reasons we should pass this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank...thank you, Mr. President and members of the Senate. Senator Chew, a...a question if I could, please. Is this...is this supposed to contain the permissive language to go to eighty thousand. Or why...why isn't that here? I noticed the rest of the...the document does conform to the Federal Bridge Law Formula, but absent is the permissiveness to go to eighty thousand, I'm wondering why that's not here?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Senator, the Eighty Thousand Pound Federal Bridge Formula has passed the Senate, has passed the House, it's on the Governor's Desk. This bill does not contain anything related to the eighty thousand pound. And let me answer to you, Senator, sir, everything that's in this Conference Committee has passed this Senate with an overwhelming vote, each bill. Now, we feel that the bill is totally in shape. The reason 411 and Senate Bill 44 and 530 was included in this Conference Committee is because the House of Representatives, across the Rotunda, closed shop on several Senate bills. The

House closed shop on several Senate bills. They included the bills that were relevant to transportation on 690. 690 passed out of this Senate...690 passed out of the House with 89 votes. Now, it's easy to look at any bill on our Calendar and find something that you probably don't like. Senator Buzbee is appropriation; I trust his judgement on appropriation. It's impossible for me to read every bill on appropriation, but inasmuch as he chairs Appropriations II, I attempt to take the confidence that I have in Senator Buzbee, and, hopefully, that he gets out the bills that are good for the people of the State of Illinois.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Chew, are you closing?

SENATOR CHEW:

No, I'm not closing, I'm answering a question. It is too late for somebody to start picking on this thing. If this were new legislation, I could understand why somebody would...like to stand here and talk about it. Nothing in this bill is new, Mr. President. We have passed everything in this bill. We've had Conference Committees to satisfy everybody here. And if you have a problem with it, why the hell don't you come to somebody before we get up to present it. Senator Buzbee knows very well it's not '73, he knows it's '78, if he would take time to read the bill. Now, if he wants to hassle with somebody on the Floor, I'm his match.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Chew, we have at least five additional Senators.

SENATOR CHEW:

You know damn well there's nothing wrong with this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

There's at least five additional Senators. Senator Maitland.

SENATOR MAITLAND:

Well, I just want to thank Senator Chew for not answering my question, but I'm not going to pursue it any further.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Thank you. Further discussion? Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 411 was my bill and it went out of here, as was said, and it complied with everything in the Federal...regulations and so on...and it did fail in the House because it was not called, and I please ask everybody to support this, please.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion, for the first time? Senator Marovitz.

SENATOR MAROVITZ:

Senator Chew, just one question, maybe two. Is there a weight increase limit in this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

Senator, if you're referring to the Federal Bridge Formula on eighty thousand pounds, the answer is, no.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Not being an expert in the area, that is not my question. Let's do away with the Federal Bridge Formula. Is there a weight limit increase of any type or shape or form in this legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

If you're referring to the roll-off garbage containers which I explained early, the answer is, yes, because it's a

shifting weight, Senator, from the time it is picked up to be hauled away. The weight shifts from one portion to the other. If you'd like to say from axle to axle, yes. But it has also been passed out of here. It is a...conforming with the Federal standards. There's nothing new in here, there's nothing hidden in the bill. It's all out plain where we can see it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

I'm not questioning anybody's motives, and I'm not accusing anybody, and I'm not saying anything is hidden. I just want to know why we need an...a weight increase from sixteen thousand pounds per axle to eighteen thousand pounds per axle. Why do we need that?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew.

SENATOR CHEW:

In order to accommodate the disposal units, Senator, that's stationary for the purpose of refuge, then these vehicles come in and pick up these standard containers and that's where you get your weight shift and your additional weight.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further...

SENATOR CHEW:

The...the municipalities have the option, sir, to pass an ordinance to conform with this. It is not mandatory, it's an option to the municipalities.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

I'm certainly, totally clear on it now, Charlie, thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, a number of questions have been asked. Yes, there is a weight change in it. Two, Senator Marovitz, Bill, the change in the garbage pick up and the roll on was put in in relation for the City of Chicago and part of the garbage pickup truck fleet that they use. And the reason it's in this bill is, when we passed the gas tax and passed the...formula, we had to put the word single axle into the law to make this...these...those three bills track together. And so, the weight increase that everybody asked about had to do with the garbage trucks; and, two, most of it was for the request of the City of Chicago for the...the hook-on dumpsters that they put on, because the weight does shift. Everything else in this bill other than that word, "single," which we had to correct to make it track with 1305 and the Weight Bridge Formula that went out under another bill which is on the Governor's Desk. Everything else is in one of the bills which you passed out of here all during the Session with overwhelming vote. This is a good bill. I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Becker.

SENATOR BECKER:

Thank you...thank you...thank you, Mr. President. The answer to Senator Marovitz's question was answered to me by the scavengers this morning. Leaving the boxes at these sites for sometimes a period of a month to six weeks with rain coming down on the lumber and on...all the other materials in these boxes is the...one of the reasons why the additional weight actually isn't weight itself in the lumber and in the plaster, it's from the rain. So, that was the

explanation to me by the scavenger this morning. When that box is picked up and the weight is shifted to the rear of the box, the additional weight is one of the reasons why this bill is being presented.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Buzbee, for a second time.

SENATOR BUZBEE:

Thank you, Mr. President. Well, this morning or earlier today, Senator Schuneman indicated to me that he had made a mistake and...and he allowed, as how it was the first one he'd made this...this Session, and I told him I thought everybody ought to make...be allowed to make at least one. I obviously made mine earlier in the Session if I voted for this bill when it went out of the...out of the Senate. Senator Chew indicated that he followed my lead in the appropriations matters and he didn't read all of the appropriation bills. Well, Senator Chew, I will have to admit to you, I don't read all of the transportation bills, but this happens to be one that I did, and I'm glad I did. Now, I also do not favor killing cops, obviously. Now, we...we get put in awfully strange positions around here sometimes, we make an argument because we...we think that we're doing something right, and suddenly it's turned on us that somehow or other we're going to favor the blowing away of policemen, and...and that, obviously, is not something I favor. But I would point out...and I have no problem whatsoever with your attempt to try to...to afford that lawman the opportunity to walk up to a car and be able to see into the car, that's not what I'm complaining about. What I'm complaining about is the language on line 6 of page 3 of the yellow Conference Committee report which says, "or reduces...or...or reduce its light transmittance." Now, as I understand that, that means if you have any kind of tint on your windows, you are reducing light

transmittance; and if so, you are illegal. The language is here. It says, "that do not meet the requirements of Federal Motor Vehicle Safety Standard FMVSS 205 in effect at the time of its manufacture are...are either covered by or treated with any product or material which would alter the glazing color, increase its reflectivity, or reduce its light transmittance." I think by that language in there, "or reduce its light transmittance," that means that you're going to be illegal if your windows are tinted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Chew may close.

END OF REEL

REEL #9

SENATOR CHEW:

Thank you, Mr. President. You cannot alter the coloration of the windshield of an automobile, that's illegal. The manufacturer indicates on his bill of sales whether you have a tinted windshield or not. There is a cost for a tinted windshield. That's the reflector from the top which keeps out the glare of the sun, and it's still permissive. The manufacturers are still manufacturing cars with the tinted windshield. The little glass that you refer to, which it went back into latter years...earlier years, rather, the fact that cars once were built with what we called a no-draft ventilation system. That was the little window that had a separate control on it and you could turn out to get in fresh air without a draft, that's where the word came from, no-draft ventilator. The State of Indiana has recently enacted a law which prevents any additional film on your rear window and on your windshield. It did not prohibit motorists from using the film on side windows. That's the State of Indiana law. This is compliance with the Federal law, and I'm not bringing in the Federal dollars, Senator Buzbee, which you work with every day. Each time you present an appropriation bill here, you include the Federal dollars. So, we don't worry about that, this has nothing to do with Federal dollars. The...the record indicates that you voted for each one of these bills. Now, whether you read them, I don't know. But I'll assure you that this is all compliance. Nobody is getting any extra anything, it's all within the law; and, yes, we do intend to protect our police officers. We know what a problem they have when they're approaching some cars. We want them to be able to have visibility into this automobile. So, I would ask for a favorable vote and

let's get this out of the way. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall the Senate adopt the Conference Committee...second Conference Committee report on Senate Bill 690. Those in favor will vote Aye. Those opposed will vote Nay. The...voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 29, the Nays are 17, 3 voting Present. The Senate...the Senate does not adopt the Conference Committee report...the Conference Committee is not adopted and the bill is lost. Senate Bill 1135, Senator Schaffer. Senator Schaffer on the Floor? Senate Bill 1176, Senator Rupp. Senator Rupp.

SENATOR RUPP:

Thank you, Mr. President. This bill with Amendment No. 1 from the House actually changes the entire bill, because the House amendment becomes the bill. One thing that this does, the first amendment...changes the title and deletes everything after the enacting clause. It starts a Motor Fuel Standards Act requiring that all motor fuel sold in this State is to meet certain specified standards. Provides for administration by the Department of Agriculture and provides penalty for violations. There is a fiscal note. Earlier there was a question about that and they examined the entire scale of it, I see, that...even to the fact that they might build a building, they're not going to do that. If the department would contract out with private testing laboratories, which is the intent now, there might be an initial appropriation of thirty thousand dollars needed. The cost, though, might run up to approximately, for our first year's operation, of a hundred and forty-one thousand, but this cost would be reimbursed by the...fees that are charged for the tests. I ask for a...an acceptance of the Conference Commit-

tee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I move, also, to concur with the Conference Committee Report No. 2 on Senate Bill 1176. And what you're doing is establishing maybe some consumer protection at hardly any cost to that consumer. I'm sure you're well familiar with the downstate case where there's been exchange of gasoline being sold as a...regular and it was...it was really a regular gas and it was supposed to be unleaded. This would protect that consumer from buying that type of an exchange in gasoline. I want to commend the sponsor for his perseverance in bringing this matter back to our attention, and I strongly recommend an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any other discussion? The question is, shall the Senate adopt Conference Committee No. 1 to Senate Bill 1176. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1176, and the bill having received the required constitutional majority is declared passed and with the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Schaffer, are you ready on 1135? No. Alright, on the...Page 1 of Supplemental Calendar No. 2, Senate Joint Resolution 38. Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, this resolution costs no money, it doesn't form anything.

All that it asks is that the mayor and the City of Chicago support that we have a Chicagofest in taste of Chicago. There is no appropriations in it or anything else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Macdonald.

SENATOR MACDONALD:

Well, I can wait until we're through with this. I'd like a point of personal privilege.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Will the Back of the Yards suffice?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Jones.

SENATOR JONES:

Senator Dawson, what year you talking about they want this, 1990?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Not talking about the World's Fair, Emil, we're talking about Chicagofest in taste of Chicago what we're going to have this year; and we'd just like to have both of them do what they can to promote it, let the people know that we're going to have it in our city.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones.

SENATOR JONES:

Does the resolution call for the Governor to send some money to the City of Chicago then?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

Mr. President...

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I was wondering if the gentleman would give us his word that this won't be used as a vehicle when it gets to the House.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, it's no vehicle or nothing. All it says is that, "Whereas for the past three years Chicago has been the site of Chicagofest in taste of Chicago events, and whereas the well-known and successful fair provides annual recreation for hundreds of thousands of people from Chicago and other parts of Illinois and other states in the United States, and whereas these festivals have created tremendous good will and exposure for Chicago area as well as generated needed revenue for its citizens, therefore it be resolved by the Senate of the...83rd General Assembly." And it goes on to respectfully urge the Mayor of Chicago and the Governor of Illinois continue to hold Chicagofest in taste of Chicago events and be it further resolved the copy sent to the mayor and the Governor. That's all it states, no money or anything else at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

You...you indicated that you wanted the mayor and the

Governor to promote these fests that we are having, or...who...who's having this fest?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson...whoop.

SENATOR COLLINS:

As I understand that...according to what I read in the paper, the mayor is not going to have the Chicagofest this year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

They are going to hold a Chicagofest in the City of Chicago from August 12th through the 21st, I believe it is. It's going to be held at Soldier's Field and it is going to be in the City of Chicago, and we hope that Chicagoians are going to attend it, that's all. The dates are already been announced and everything else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dawson has moved the adoption of Senate Joint Resolution...38. Those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The amendment is...the resolution is adopted. Third Supplemental is now being passed out. Supplemental Calendar No. 3. House Bill 1117, Senator...alright, Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

Point of inquiry, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

State your point.

SENATOR SCHUNEMAN:

We've been in Session for nine hours now, and after a long day yesterday, just inquiring of the Chair, if you could give the membership some idea where we are in our process and...and whether or not we're going to have a break or just

where we're going.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman, no, I cannot. I don't know. Oh, Senator Rock.

SENATOR ROCK:

Well, we...we obviously have not fully funded the operation of State Government for FY '84. While we are attempting, at least, to work out the adequate funding for State Government, there are other matters that other members wish to bring to our attention, not the least of which is the School Aid Formula and a number of other things, and so the...there is no funding for education in this State at this moment, there is no funding for the General Assembly or the constitutional officers at this moment, and there are a number of other items left unresolved so far. We have been meeting with...as a matter of fact, Senator Philip is with the minority leader of the House at this moment. I have just left the Speaker's Office, the four of us are to get together momentarily and, hopefully, we can...nobody is more anxious than I. I would ask the members to please be a little patient. Let's go through and afford all the members the courtesy that we wish to have afforded to us and allow them to call their Conference Committee reports in order. Once we, hopefully, reach some resolution with the House, we will be trying to expedite the proceeding and send everybody happily on their way home.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman, have I...have I answered that properly for you now?...Senator Keats.

SENATOR KEATS:

A question of the President. Mr. President, what I'm saying, while we're expediting this, while we're funding these agencies, you might do us a favor and save the entire Legislature some time and some money and some paper work if,

when you find out where those commissions are, you would let us know; not put them in the major bills, put them in a bill that, perhaps, has its own merits. But at least let us know in advance so we don't have to spend the next three hours clearing up the paper work because the Speaker of the House wishes to be obstinate.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

You will, as always, be fully informed about what transpires in the Senate, I can assure you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

On the third Supplemental Calendar, House Bill 1117, Senator Bruce. Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This is a vehicle that didn't need wheels. Senator Carroll put on an amendment in the Senate to add one dollar in additional capital. We sent it over to the House nonconcurrent, put it in a Conference Committee, they don't need it anymore. So, what the bill does in its original form, we're receding by the Conference Committee report from Senate Amendment No. 1 which put on the...the total of one dollar for capital projects is going back to the School Construction Bond Fund and reallocating that money so that we can pay the interest on the school...school construction bonds that are outstanding. This is a State Board bill. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? The question is, shall the Senate adopt the Conference Committee report on House Bill 1117. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?

HB 1382
Conf. Committee Report

Take the record. On that question, the Ayes are 52, the Nays are none, 2 voting Present. The Senate does adopt the Conference Committee report on House Bill 1117, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. House Bill 1382, Senator Luft. Senator Luft.

SENATOR LUFT:

Thank you, Mr. President. I would move that we adopt Conference Committee Report No. 1 on House Bill 1382?

PRESIDING OFFICER: (SENATOR DEMUZIO)

1382.

SENATOR LUFT:

The Conference Committee has added a whole new section in this bill, and it deals with the recovery in tax actions against units of local government. And I'm going to read to you what it does. "In any action against a unit of local government by a...taxpayer to recover any taxes, license fees, permit fees, franchise fees or charges to reimburse such taxpayer for the expense of such taxes, fees or charges that are illegally or unconstitutionally collected, the prevailing party in any such action shall not only be entitled to a refund in an amount not exceeding the taxes, fees or charges paid for a period of one year prior to the date upon which the complaint was filed. No other recovery shall be allowed, provided this provision shall not be construed to limit the power of a court to award attorney fees. This provision shall be applicable to all cases which have not yet reached final judgement, including...including exhaustion of appellate remedies on the effective date of this...Amendatory Act of 1983." If there are any questions, I would like to yield to Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge.

SENATOR ETHEREDGE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I just want to call to your attention that this is the...the same language which this Body had the wisdom to shoot down about two or three hours ago on...on House Bill 2000, I...I believe it was, and I would urge you to do the same thing again. It is the one, I believe, that Senator Barkhausen and Senator...Senator Berman both spoke against this paragraph as I did. It limits the recovery of judgements to...to one year. It...in those instances where a city is...levied a tax or fee illegally and, moreover, it says that the provision shall be applicable in all cases which have not yet reached final judgement, including exhaustion of appellate remedies on the effective date of the law, so that...in...in...it does not grandfather anything that is in progress at the present time. I strongly urge you once again to vote No on this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, Senator Etheredge is absolutely right. This bill would give the right to local governments to commit financial rape on the taxpayers. The...the report...this bill says that any municipality which levies a tax or fee which is found either unconstitutional or illegal it can be forgiven. It's not fair to the taxpayers...the taxpayers, and I speak against it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, that...that brought on five lights. (Machine cut-off)...Bloom, for what purpose do you arise?

SENATOR BLOOM:

...parliamentary point. That's criminal sexual assault, financial criminal sexual assault, not rape.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Geo-Karis has been properly admonished.
Senator...Senator Sangmeister.

SENATOR SANGMEISTER:

Well, Senator Geo-Karis, if you'll pay attention, you should be informed of who is criminally sexually assaulted in your legislative district. If you recall, we had a few school districts with a certain utility company that...and now, we have to pay back millions of dollars to, and your district may be very interested in this particular piece of legislation, and that's one of the reasons that I happen to be interested in it. And, Senator Etheredge, Representative Hastert who handled this over in the House tells me that this got about 80...80 votes over there. So, apparently, they're looking at this legislation a little different than we are. And after all, it...it's not a complete bar. It...it does limit it to a one-year recovery. What are these school districts supposed to do when they rely on the laws that we pass down here, and then we turn around and...and...and change the law? They've taken these funds and they've spent it, and now they come around and say, hey, you owe us a million and a half. And that's not just thrown out of the air, we have school districts that owe that. Admittedly, we did put a bill through here so we could tax our people more to pay this money back. But at least this limits it to one year, and I think it's a very reasonable piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Keats...further discussion?
Senator Welch. Senator Welch.

SENATOR WELCH:

A question of Senator Sangmeister. Senator, what is the current Statute of Limitations in cases such as this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

I'm not sure. I would...I would presume, a five-year Statute, but I'm...I'm not positive. I would think there's got to be some limitation on how long you can go to get your taxes back. There's no limitation on the payment of taxes, but collecting them back I really don't know, but I would presume there's about a five year.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

So, what this bill would do would be to say one year from the date a law is declared unconstitutional...well...or otherwise, illegal...I don't know how it would be illegal unless it was unconstitutional...one year from that date a person has a cause of action. Isn't that similar to a lot of other Statutes that we have?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

That's not the way I read this. This reads that you're limited to going back and recovering only one year's taxes that have been paid.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

Well, that's different. If...if you pay taxes for four years and then the entire law is declared unconstitutional, you can only collect one out of the four.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister. Alright. Further discussion?
Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the Conference Committee report on House Bill 1382, and I would ask the members to disregard

some of the rhetoric about somehow being in derogation of the right of the consumers. The fact is that Senator Sangmeister and others are quite correct. All this says is that if a unit of local government relies on the fact that the law that we have passed is constitutional and at some subsequent date it is declared to be unconstitutional that that unit of local government will suffer at the most a one-year loss, so that we are not hamstringing any unit of local government, including municipalities. I think it's a...an idea worthy of your consideration and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in support of this...this suggestion...this Conference...Committee report and urge support of it. We have in my district a school district in the Bolingbrook area that was...very severely impacted by this. They were caught in the switches. It really was not...it was not the fault of the school district. And I think that what's being proposed here is a reasonable...a reasonable compromise and a reasonable way out, both for the taxpayers and for the taxing districts affected. And there is a real serious situation here, and I would join Senator Sangmeister and Senator Rock and any others and urge them to adopt this Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Luft, do you wish to close?

Senator Luft.

SENATOR LUFT:

Well, thank you, Mr. President. To be perfectly honest with you, this bill was a vehicle and I happened to be the sponsor of it, but the longer the debate has gone on, the more convinced I am that we should adopt Conference Committee

Report No. 1 to...

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the...

SENATOR LUFT:

...House Bill 1382.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...the question is, shall the Senate adopt Conference Committee report on House Bill 1382. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish?..all voted...take the record. On that question, the Ayes are 38, the Nays are 13, none voting Present. The Senate does adopt the Conference Committee report on House Bill 1382, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 2055, Senator Grotberg. Senate Bill 26, Senator Vadalabene. Senate...Senate Bill 26.

SENATOR VADALABENE:

The second Conference Committee on Senate Bill 26, the turkey is back. It's been cleaned, it's been cooked and the dressing has been taken out of it. This is what it looked like the last time it came over here; this is what it is now, to show you what they can do to a Senate bill over in the House. Amendment No. 2 to Senate Bill 26 is simply enabling legislation to allow the Vietnam Veterans' Leadership Program to join DCCA in the Jobs Partnership Training Act in setting up a volunteer network of Vietnam veterans who are willing to donate their time and expertise in aiding the twenty percent unemployed Vietnam veterans to secure employment. The Vietnam Veterans' Leadership Program volunteer network will share information with the DCCA in each service delivery area. The VVLP will explicitly not overlap any area of

effort with DCCA but simply will enhance the data, studies and efforts to discover new sources of employment. And the reason I'm going through this a little bit slower this time is because I don't want to have anybody think that I came in here originally a week ago with Senate Bill 26 with a turkey. The Department of Veteran Affairs is neutral on this legislation. They admit they do not have the funds nor the expertise to implement a jobs program through Veterans' Affairs. The department has worked with the VVLP on other programs and have been satisfied and impressed with the VVLP as an organization. And finally, to set everyone's mind at ease, there is no funding for the VVLP project from the State of Illinois. With or without the tax increase, funds are still too low to extend funds to such a project. And the Vietnam Veterans' Leadership Program will attempt through their national organization and, hopefully, with Federal grants to cover the cost of this employment program. And all I am asking with Amendment No. 2 is to provide enabling legislation for the VVLP to work with the...the Department of Community and Commerce Affairs, and if passed, this will be the first such partnership in the nation; and in the spirit of President Reagan's appeal for volunteerism, I move that this legislation receive the necessary votes for passage, and I'm very disappointed that we didn't pass it the first time I had it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate,...and I'm the one who labelled it a turkey that should be killed before it layed anymore eggs. I'm going to rise to support of this. I have talked to the Department of Veteran Affairs. The reason I objected to this bill in the first place was you were moving outside the Department of Veteran Affairs into DCCA for a program for the veterans. I've talked to the Depart-

ment of Veteran Affairs, I've talked to DCCA. The only way this can track to give these volunteer Vietnam Veterans' League or Association to work on trying to secure jobs or job training for Vietnam veterans is through the Federal funds that flow through DCCA. And I would urge all of you to support this Senate Bill 26, Conference Committee Report No. 2 in its now pristine form.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

It's...it's pristine alright. The VVLP, I wonder if that's connected with the IRA or the PGA or the KKK. Whoever heard of that group? This is, I think, a raid on Federal job funds which are distributed throughout the State, primarily in areas of high unemployment I assume. This is akin to a legislative commission. I assume it's some group of people that got together and formed, or are thinking of forming, a nebulous not-for-profit organization to somehow cajole or raid Federal job dollars in DCCA. And the job money, by the way, is being spread throughout a half a dozen agencies, I don't know why it couldn't be in Veterans' Affairs and then spread the money through DCCA like we've done in any one of a dozen other instances, unless the Department of Veterans' Affairs knows this is such a sleazy deal they don't want it in their department, which occurs to me. I just don't know who these people are. I haven't heard a word of justification for the program. We have job programs for veterans in the department already. Boy, I smell something in this one; and at this stage of the game, this is the kind of thing in pension bills you ought to just automatically vote No on.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. Let me say on behalf of

DCCA that they have in the past few years developed some expertise in job training through the HITS program and other junior college programs, and through Federal grants it may be possible to work through them to help some unemployed Vietnam veterans. So, I'm certainly willing to give them a chance. I stood before in...in somewhat amazement that we were going through DCCA, but in talking with them, I think, probably that we ought to give them a chance, and I stand in support of this Conference Committee No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke.

SENATOR LEMKE:

Senator Schaffer, I understand that in the Illinois Chapter...this is a national organization, and that the president of the Illinois Chapter is a...a Congressional Medal...of Honor winner. And I think you have insulted the Vietnam veterans here today when you say that this is some organization that's a rump organization. This is a concrete national organization. In...in Illinois it's an insult when somebody insults the president of an organization that's a Congressional Medal of Honor Winner. I think you should check your facts before you start talking about being things bad, and I think we owe...apology to a Congressional Medal of Honor...here for having him insulted in this Body.

PRESIDING OFFICER: (SENATOR DEMUZIO)

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

SENATOR SCHAFFER:

Since I clearly was mentioned. All I said, Senator Lemke, is I never heard of this group. I don't know who they are. Somebody just handed me a printed sheet of paper that says they at least have enough money to print something. I have a group in my area called Vietnow which is a veterans group which is established and appears. I just never heard

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of this group, and I, frankly, venture to say a majority of the people on this Floor of this Senate up until the debate on this issue have never heard of this group; and if...if I'm wrong, then I obviously live in a closet. But it strikes me as something aimed at raiding...Federal job funds. If I'm wrong, I apologize at this time in the stage of the process. You'll pardon me if past history has taught me to be a bit of a cynic.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Just briefly. Our America is two hundred and seven years old and still very young and vibrant at heart, and by voting with this bill, you can hold your head a little bit higher. And I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 26. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are 5, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 26, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senate Bill 101, Senator Joyce. Senate Bill 101, Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Senate Bill 101 has been here, it was passed out of this Senate rather...it was amended in the House. What this bill does is deals with the problem that we've had, many of us across the State, with pollution

control equipment on generating plants, nuclear and fossil. Amendment No. 1 in the House deletes the bill from its original provisions and it becomes the bill...it excludes from pollution control facilities classification of certain systems and devices previously considered pollution control on nuclear powered plants. So, the nukes are back on the tax rolls. A lot of the equipment that is used in nuclear power plants are back on the tax rolls. The fossil plants are still out. So...and...and it...it bothers me immensely that they are out, and some...some people across the State are going to be hurt. I've...we've tried in many ways to compromise. We've...we've brought over, I think, four or five different amendments to the House. We could get no one to sign them. We had more problems with that than you can ever imagine. We had...we tried to say that if they burned Illinois coal, and we tried to define Illinois coal, that then they would not be...be taxed, and...and we finally got down where we had the railroad opposing us because they were hauling in coal from the west. So, it...it just...I think we've exhausted every avenue. And I'd be happy to answer any questions on this. It will help people with nuclear power plants in their district, some of this equipment will go back on the tax rolls. But for the fossil people, I hope that...the bill that we passed here a few minutes earlier will help them in forgiving some of the...the debts that...or the taxes that they have to pay back to the utility companies. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate adopt the Conference Committee report on Senate Bill 101. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? (Machine cutoff)...all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 50, the Nays are 3, 2 voting Present. Senate Bill 101 having received...the Senate does adopt the Conference Committee report on Senate Bill 101, and the bill having received the affirmative vote of three-fifths of the members elected is...is effective immediately up its becoming a law. Senate Bill 357, Senator Marovitz. Senator Marovitz on the Floor? Senate Bill 357, Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President and members of the Senate. I would move that the Senate adopt Conference Committee Report No. 1 to Senate Bill 357. This is the bill that had the wrongful death amendment on it. That has been removed, there is nothing on it whatsoever about that. It had two rather technical amendments added to the bill in the House saying that the...this...this involves the Crime Victim Compensation Act so that those who are committed, committed, to Federal or State penitentiaries will not collect under the Crime...Victim Compensation Act while they're in Federal and State penitentiaries, if they have...been...in fact, been committed. The fund is small enough as it is. I know of no opposition to the legislation and I would ask for adoption of Conference Committee Report No. 1 to Senate Bill 357.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Yes, thank you, Mr. President. Senator, I think you answered my question, but I want to make sure. Have...does the Conference Committee report strike House Amendment No. 3 which added the wrongful death provisions?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Absolutely. There is nothing whatsoever in this bill about wrongful death at all.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

I wondered whether all of the...the members of the Conference Committee in this Chamber had seen the report. I...Senator Sommer, did you ever get a chance to review the report? I don't mean to pick on you, but I, again, see that you haven't signed it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen, have you concluded? Oh,...Senator Sommer.

SENATOR SOMMER:

Senator Barkhausen, you have an eagle eye. Everytime I don't sign one, you...you pick it out. Again, I think this was probably circulated when we were unobtainable. We were probably in a room somewhere and no one knew where we were. I...there's nothing wrong with the...with the report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Further discussion? The question is, shall the Senate adopt the Conference Committee on Senate Bill...357. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 357, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 557, Senator Rock. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 557, this is the second Conference

Committee report. It is an amendment to the General Assembly Compensation and Emoluments Act, which means it's an amendment to our District Allowance Act. And what we did as this bill led...left the Senate was we attempted to provide for the situation where those who lease, for instance, a typewriter, a Xerox machine or some other piece of equipment for their district office. At the moment we are constrained to lease and we are not allowed to purchase, and as you well know, in many instances it is actually cheaper for us to purchase. And so, the bill as it left here provided for the opportunity to purchase that equipment with the full understanding that it was the property of the State to be properly inventoried by the Secretary of the Senate and the Clerk of the House. And when indeed one leaves office, the property remains behind. It is a cost savings device. Then, after consultation with the Comptroller, I accepted a Comptroller version of that amendment which included the opportunity to voucher for travel among other things. It also precluded the Comptroller from really questioning any of our vouchered expenditures on the basis that we would, by certification, indicate that these were, according to law, to be spent according to our district allowance and not for political purposes. And that satisfied the Comptroller, it was his amendment. The bill then went over to the House; an amendment was suggested which was rejected by this Body and we wound up in a Conference Committee. The second...the first Conference Committee report was, in the opinion of many, too vague with respect to the provision for travel. And so, the second Conference Committee report is now before us, and it says quite plainly, as used in this section...or in the section, the term "travel" shall be limited to travel within such member's legislative or representative district in connection with his or her legislative duties and not in connection with any political campaign. So, what it does, in

effect, aside from the machinery provision, which I think, frankly, is pretty important, it also affords our colleagues from downstate Illinois who have large pieces of geography to travel the opportunity, if they wish, to voucher travel expenses within that district. I think the amendment is a good one. It passed the House with 80 affirmative votes, and I would urge your favorable consideration of the second Conference Committee report on Senate Bill 557.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate adopt the Conference Committee report on Senate Bill 557. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 16, none voting Present. Senate Bill...the Senate does adopt the Conference Committee report on Senate Bill 557, and the bill having received the affirmative vote of three-fifths of the members elected is...effective immediately upon its becoming a law. Senate Bill 1263, Senator Weaver. Senator Weaver.

SENATOR WEAVER:

Mr. President, may I have leave to come back to this just...in just a few minutes. We're checking some technical language?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Weaver...seeks leave of the Senate to return to Senate Bill 1263. Is leave granted? Leave is granted. Senate Bill 1307, Senator Degnan.

SENATOR DEGNAN:

...thank you, Mr. President. Senate Bill 1307 was cleanup legislation suggested by the State Board of Elections, sponsored by myself and Senator Macdonald. In Conference Committee No. 1 we add two more amendments that are cleanup

amendments suggested by the same State Board of...Elections. We have the House recede from an amendment that was not a State Board of Elections amendment, and we add some new language. The new language...pertains to a definition of labor organization that would be necessary had Senate Bill 1301 been passed and signed into law. Secondly, it clarifies a problem in Cook County, the relationship between the City of Chicago's Board of Election commissioners and Cook County pertaining to cost in the upcoming special congressional elections. It also clarifies in Cook County that relationship that was missed or...or dropped from the law during the consolidate of election package where canvassers are paid for in part by Cook County to the cities...City of Chicago's Board of Election Commission. It also reduces the number of signatures required on a petition for local advisory referendum in accordance with a recent court ruling. Absent any questions, I would move we adopt Conference Committee No. 1 to Senate Bill 1307.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President and colleagues in the Senate. I am a cosponsor of this bill, and I think that we have in our Conference Committee taken care of the objections that have been raised on this bill before. And I urge your support for...Conference Committee report.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Further discussion? Senator Degnan, do you wish to close?

SENATOR DEGNAN:

Thank you, Mr. President. I'm advised that Conference Committee No. 1 has just passed the House 110 to 5. I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1307. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 1307, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law...1336, Senator D'Arco. Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The original Conference Committee report had some reciprocity language in it that was deleted. It...it was a conflict. So, this one, apparently, is in good shape. It simply provides that elected officials who are elected in Cook County can have the alternative retirement annuity based on the formula that has been the traditional formula for members of the General Assembly. They would contribute an increase to eleven and a half percent of their paychecks from eight and a half percent to pay for this cost. Cook County has signed off on this, and I don't know of any objection and ask that we adopt Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, according to our information, Conference Committee Report No. 1 amended the General Assembly Article to reduce from eight to six the number of years of service

required for a member of the General Assembly who leaves the General Assembly to be eligible to continue participation in the General Assembly Retirement System. Is that provision still in Conference Committee Report No. 2?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

No, Senator Schuneman, that was the controversial provision. That was deleted from Conference Committee Report No. 2.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you, very much, that answers our principal objection, I guess, to the bill. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

...ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1336. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 18, 7 voting Present. The Conference Committee report is not adopted and the bill is declared lost. Senator D'Arco.

SENATOR D'ARCO:

Would you put that on postponed consideration?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright, the sponsor requests postponed consideration...postponed consideration. Is leave granted? Leave is

granted. (Machine cutoff)...Weaver, are you ready? We're still on the...third Supplemental Calendar. Senator Weaver was granted leave of the Body to go back to Senate Bill 1263. Senator Weaver.

SENATOR WEAVER:

Thank you, Mr. President. I would recommend that we dump the first Conference Committee report on 1263, we've got a technical error in it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the Conference Committee report on Senate Bill 1263. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 10, the Nays are 21, 2 voting Present. The Conference Committee report is not adopted, and the Secretary shall so inform the House that Senator Weaver has requested...another Conference Committee. Supplemental Calendar No. 4 is...has been passed out or is being passed out. On Supplemental Calendar No. 4, House Bill 556, Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and members of the Senate. With the adoption of...of this Conference Committee report, we will redefine the...the line...redefine the travel line to include travel expenses of commission members. In addition, it...it does include an immediate effective date. I move that the Senate accept Conference Committee Report No. 1 for House Bill 556.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

I withdraw.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

I'd just like to ask the sponsor to go into a little more detail about what it is.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Well, ask...ask your question. I've told you everything...everything that we did. There was...there was a problem with...with the legal services line as far as the Comptroller was concerned; the House took that out, I believe, and...the travel line now includes the travel expenses of commission members. That was a suggestion, as I...as I recall from debating the bill several days ago, that the Comptroller wanted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kelly.

SENATOR KELLY:

Is that the same thing that President Rock had in his bill on travel?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland.

SENATOR MAITLAND:

Senator Kelly, I...I don't have the foggiest idea what you're talking about. I'm sorry, I...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kelly.

SENATOR KELLY:

Well, what I was talking about is that under the bill that we just passed a few minutes ago, that members would get reimbursement for travelling expenses within their districts, and that helped our downstate brother...our downstate legislators in big districts, and I was just wondering whether there's a similar concept here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman.

SENATOR BERMAN:

The reason for this Conference Committee report is the Auditor General raised the question as to whether the Statute that...that created the School Problems Commission specifically provided for reimbursement of the travel expenses of public members. That's all this does, and I support the motion to adopt.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? The...the question is, shall the Senate adopt the Conference Committee report on House Bill 556. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Paul. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 50, the...51, the Nays are 2, none...none voting Present. The Senate does adopt Conference Committee report on House Bill 556, and the bill having received the affirmative votes of three-fifths of the members of the...members elected is...is effective immediately upon its becoming a law. Senator Keats, for what purpose do you arise?

SENATOR KEATS:

To...to ask a question of the President. My...my seatmate and roommate next to me is beating on me because he'd like to go have some chicken for dinner. All I'm asking is...

PRESIDING OFFICER: (SENATOR DENUZIO)

Well, Senator...

SENATOR KEATS:

...Phil, please tell him because he's beating me to a pulp.

PRESIDING OFFICER: (SENATOR DENUZIO)

...well, that sounds...that sounds good enough for us, next case. Senate Bill 89, Senator Maitland. Senator

Maitland on the Floor? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President and members of the Senate. Contained in Senate Bill 89 is the School Problems Commission, State Board of Education Joint Finance Committee's recommendation to the Legislature as to the waiting for Title I for FY '84. This issue has been debated on this Floor on at least two occasions. I would say to you that this proposal has passed the House. And, basically, to recall to you what this does, it permits districts to use the greater of their 1980 Chapter I count or eighty-five percent of their 1970 Title I count for FY '84. It has been said in recent days that no one really understands the number of formulas that come before this Legislature every year. Let me suggest to you and remind you...and some of you have been critical of the State Board and the School Problems Commission for coming up with this formula or other formulas, but we anticipated this problem some months ago, and we knew, given the 1980 Chapter I count, changes were going to have to be made because there was a tremendous drop in the Chapter I count and school districts would be affected all over the board, and something had to be done. Each and every one of you know every year we debate this issue, we look at the printouts to try to find the winners and the losers in our district and then make our decision based on those printouts. And to every one of you, you know it's very, very difficult to evaluate those winners and losers. Much thought, much work went into this proposal by staff from both the School Problems Commission and the State Board to find a formula that would provide for as few a winners and as few a losers, and with as small amount of gain or loss as could possibly be made. I have winners and I have losers, and all of you do too. There are some changes, but I would submit to you that this document before you tonight has had more thought put

into it, and I think clearly addresses the problem that we face with the formula today. I believe it's a good proposal. I believe it's the best we can come up with, and, therefore, Mr. President, I would move that the Senate do adopt Conference Committee report to Senate Bill 89.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. We could probably just play the tapes back of about five days ago. It seems like five years ago.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Could we have some order, please.

SENATOR BERMAN:

That's right, time flies when we're having fun. Senate...this...this proposal, Ladies and Gentlemen, was defeated by this Body when it was offered as Amendment No. 1 by Senator Davidson to the School Aid Formula about five days ago. It's the same proposal. If you didn't like it five days ago, you won't like it tonight, or shouldn't. It shifts...it shifts twelve million dollars...State-wide. It takes five million dollars, approximately, from the City of Chicago schools. It takes several hundred thousand dollars from the schools in East St. Louis. They...there are losers, and I have passed out, and I apologize for the confusion, but the proponents shifted numbers on me and you have all on...on your desk sort of a printout of the larger school districts in the State and at the bottom is a little box signed by me, it says please vote No on House Bill 687. Well, this is the same thing. 687 is the same as Senate Bill 89. If you're a loser on this...on this handout, you're a loser on this proposal. When we debated it before, I told you that this was a formula that a few people got together and juggled some figures. They are saying that you can use either your 1980

census count or eighty-five percent of your 1970, and there is nothing magic about eighty-five percent; could have been seventy-five percent, thirty-five percent, et cetera. It doesn't smell good when a couple of people come forward and say that there is something magical about eight-five percent. So, I suggest to you, and I have the printout here, the printout has been on my desk all day, I've invited you to peruse it. The collar counties in Cook County, you'll lose a million and a half dollars outside of the City of Chicago. DuPage County loses seven hundred thousand dollars. Kane County loses six hundred thousand dollars. Lake County loses a hundred thousand dollars. McHenry County loses a hundred thousand dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Berman, pardon me for interrupting. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

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

END OF REEL

REEL #10

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, take it out of the record. (Machine cutoff)...to take it out of the record? Leave is granted. Out of the record. Senate Bill 459, Senator Dawson. Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, we have removed...receded from House Amendment No. 1 which was the bill with the population over a million people for school buses, and it returns it to its original form, which appropriates funds for...permits municipalities, townships and counties to appropriate funds for nonprofit organizations for the purpose of furnishing services to runaway youths and their families. I'd ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Senator Collins.

SENATOR COLLINS:

Senator, is this a new bill? Is this the bill the way it passed the Senate when it passed the Senate the first time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Dawson.

SENATOR DAWSON:

I stated in my speech that this returned it to its original form which went out of here on the Consent Calendar and everything else.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins. Further discussion? Further discussion? The question is, shall the Senate adopt Conference Committee Report No...No. 1 to Senate Bill 459. Alright, Conference Committee Report No. 2 to Senate Bill 459. Those in favor will vote Aye. Those opposed will vote Nay. The

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voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays...on that question, the Ayes are 49, the Nays are 1, none voting Present. The Senate does adopt the Conference Committee report on Senate Bill 459, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 526, Senator Zito. Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Senate Bill...526 was a bill that Senator Nedza had given me. I will read to you...or explain to you what the bill did and then the amendment which Senator Philip offered. The bill will increase from five thousand to ten thousand dollars the maximum amount of contract or purchase order which does not require advertising or...and public bidding. It also increases the minimum value of contracts for which a bond is required from five thousand to ten thousand for a metropolitan sanitary district. That passed out of here 54 to 5. The amendment that was placed on by Senator Philip...asks for any city, village or incorporated town located within a sanitary district which owns a system of waterworks, its supply from a lake or any other source shall furnish water to any city or other...municipal corporation in such quantities at no greater price or charge. This was, from what I am to understand, agreed legislation and agreed language, and I would ask for the adoption of the committee report.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Any discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of the first Conference Committee report on Senate Bill 526. This is an attempt to work out an

arrangement between the County of DuPage and the City of Chicago with respect to the sale and purchase of water. It has an affect on nowhere else in the State. I think the agreement has been reached and I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

UPI has sought leave to take pictures. Is leave granted? Leave is granted. Further discussion? The question is, shall the Senate adopt Conference Committee Report No. 1 to Senate Bill 526. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 526, and the bill having received three-fifths...and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Macdonald, for what purpose do you arise?

SENATOR MACDONALD:

Yes, several times I've tried...I've put my light on to speak. When I had the mechanical malfunction, it now has been fixed, I did miss voting on Senate Bill 589. I would have voted Yes if my switch had been operative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The record will so show. 668, Senator Bruce. Senator Bruce, 668. Senate Bill 668.

SENATOR BRUCE:

Thank you. My motion is to adopt the first Conference Committee report on Senate Bill 668. This is a bill that's passed out of here and the...we needed an...the addition of one additional district, which was the district of Galva. I don't know whose district that's in now, we've put so many in and out. The bill as it stands before the Body relates to six districts in the State of Illinois, three units and three

elementary districts who for some reason or other fell below the specified rate for participation of School Aid Formula in PY '84. This is an annual bill, it has gone through here. These districts are penalized in the amount of money they get from the State Aid Formula. There is a separate line item already set forth for them. It is a hold harmless payment to make sure that districts who have failed to levy the appropriate tax rate still can participate in the formula, and there are only six of them of the eleven hundred in the State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall the Senate adopt the Conference Committee Report No. 1 on Senate Bill 668. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 50, the Nays are 2, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 668, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. 1153...Senate Bill 1153, Senator Jones. Senate Bill 1153, Senator Jones. Alright, take it out of the record. The Chair now will entertain...(Machine cut-off)...stand at ease for a moment...moment. Senator Smith, for what purpose do you arise?

SENATOR SMITH:

Yes, Mr. President, I...when you were voting for...Senate Bill 1263, you went so fast on me what that vote was, I did not get a chance to register my vote. Would you please permit the record to reflect that I would have voted Yes on that.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Our electronic marvel will so indicate.

SENATOR SMITH:

Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there leave to go to resolutions? Leave is granted.
Resolutions, Mr. Secretary.

SECRETARY:

Senate...Senate Resolution 309 offered by Senator Lenke,
and it's congratulatory.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. Messages from the House.

SECRETARY:

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

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

House Joint Resolution 70, and it's a death
resolution.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Consent Calendar. With leave of the Body, we'll take
care of a housekeeping chore here. The Resolutions Consent
Calendar has been passed out, with the exception of the two
resolutions that we just ordered on...on the Consent Calendar
that are not printed. Mr. Secretary, has any member filed
any objections to those resolutions that are on the Consent
Calendar?

SECRETARY:

No objections have been filed, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Darrow moves to adopt the Resolutions Consent
Calendar. All those in favor signify by saying Aye. Opposed
Nay. The Ayes have it. The Resolutions Consent Calendar is
adopted. Senator Grotberg, for what purpose do you arise?

SENATOR GROTBORG:

Thank you, Mr. President. On a point of order. I think the membership have all missed their families and are looking for the weekend. I think mostly we're talking about our tummies, and I have it on word of Senator Rock and Senator Philip, within a few minutes we will know...whether we're going to be here a few minutes or longer. So, those who are starving, I would submit that within the next five to ten minutes we could, say, order some food or we'll...all order some food in, but don't panic for a couple of more minutes. Senator Hudson, you were one of those that raised the question and many others that either we're going to be here awhile or we're not. The word should come down, I would think, within the next ten minutes, and at that point in time I would ask Senator Rock to advise us as to where that's at because the troops do need to be fed and loved.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright, if the Senate would just be at leave for a few moments.

PRESIDENT:

If I can have your attention, if everybody has got a pencil handy, Senator Philip and I just had the opportunity to meet with the House leadership. It appears that the House is ready to adjourn, their business having been completed. We, on the other hand, have eight bills remaining before us to be considered. If you'll take your pencil out, I'll give you the numbers of the bills. We can, it seems to me, finish in less than an hour; because everybody, I'm sure, is aware of what is or is not included within these bills. We'll start with the regular Calendar, and I do not know...I'm not presuming, I'm...I'm telling you what's left. What the sponsors want to do is another story. On Page 6 on the regular Calendar is House Bill 687. On Supplemental Calendar No. 1 is Senate Bill 374, which contains all the educational funding. On Supplemental No. 2, on the...Page 2 of Supplemental

2 is House Bill 2058 and Senate Bill 332. On Supplemental No. 3 is Senate Bill 1263, which contains all the bonding authority, 1263. And on Supplemental No. 4, on the Order of Consideration Postponed is House Bill 1002 and Senate Bill 310. And finally, if you'll turn back to Supplemental No. 1 there is, of course, Senate Bill 384. 687, 374, 2058, 332, 1263, 1002, 310 and 384. Senator Collins, for what purpose do you arise?

SENATOR COLLINS:

Point of procedure.

PRESIDENT:

Yes.

SENATOR COLLINS:

I would like to know if we will be voting on those bills as they were when we voted on the first Conference Committee report. Are they...are they the same Conference reports?

PRESIDENT:

Yes.

SENATOR COLLINS:

In the same form?

PRESIDENT:

Yes.

SENATOR COLLINS:

Well, thank you. Then, a point of personal privilege.

PRESIDENT:

Yes, state your point.

SENATOR COLLINS:

I am...I'd like to say to all of the members of the Body that I have truly enjoyed working here this year. I think all in all we have had a very productive year, and I'd like to also thank Senator Rock and Senator Philip for all of the hours that they put together trying to work up...out a tax package to respond to the problems of the people of this State. I see no need for me to stay here for the rest of

this Session, and I would like the record to show that I am to be recorded No on all of the Conference Committee reports that has excess waste in it, especially those dealing with the...the committees and new...and the creation of new committees, and those committees such as the Labor Law Committee that is spending money and growing. And I am Chairman of Labor and Commerce and I have never seen one nothing or heard nothing that they've done, and that applies to some others too. So, I will just say good night, I will be on my way home.

PRESIDENT:

Senator Grotberg, for what purpose do you arise?

SENATOR GROTERBERG:

Well, just to say goodbye to Earlean. Earlean, Earlean, it's me, John, where are you? After what you did to the people of Illinois this year, Earlean, after what you did to the people of Illinois this year on the stuff that came out of Labor and Commerce, I hope you have a great Fourth of July weekend; and if you talk...played as good a game as you talked, we wouldn't still be here wondering about these things, and we almost thought the last couple days that you could vote Republican.

PRESIDENT:

Alright, everybody have the list? 687, 374, 2058, 332, 1263, 1002, 310 and 384. Eight bills, and I suggest it can be done hopefully in less than an hour. Page 6 on the Calendar, Conference Committee report on House Bill 687, Senator Demuzio. (Machine cutoff)...hide out any longer, Vince.

SENATOR DEMUZIO:

Can't take a break anytime can you. Thank you, very much, Mr. President. I had indicated to Senator Berman that I would not call this bill until he was present, and I understand he is on his way, so perhaps...

PRESIDENT:

Alright...we can...we can move to 374 if that's acceptable. How about 374? Senator Bruce.

SENATOR BRUCE:

I am told that Senator Berman thought we would be in a longer break. He has left to pick up some material out of the building. He will be back in a moment. I'm sure he would not want to move it...also, we would not like to move 374 without him being on the Floor.

PRESIDENT:

Alright, why don't we start with 2058. Senator Grotberg, why don't we start with you. You and I are the only ones ready. Senate Bill 332. If you'll turn to...Supplemental Calendar No. 2. Supplemental Calendar No. 2, the bottom of Page 2, there is a Conference Committee report on Senate Bill 332. Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. The Conference Committee on 332 has not changed. It is the misdemeanants concept for county jails, the only answer to letting felons, Class X hardened criminals, out of the Department of Corrections at about one hundred every Friday afternoon. The solution...the only available solution. My earlier commitments stay that the misdemeanants in the county jails is the only answer, and I would ask for your favorable support.

PRESIDENT:

Discussion? Senator Chew.

SENATOR CHEW:

Yes, I've talked to several people on this bill since I...we first heard it today. There's no objection in Cook County whatsoever. The sheriff of Cook County is in favor of this and I have no objections to it, because we are under court order and we have no other alternative but to accept this, and I gladly support it.

PRESIDENT:

HB 2058
conf. comm. report

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 332. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 37 Ayes, 11 Nays, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 332, and the bill having received the required constitutional majority is declared passed and having received the affirmative vote of the three-fifths of the members elected is effective immediately upon its becoming a law. Senator Chew having voted on the prevailing side, moves to reconsider. Senator Grotberg moves to lay that motion upon the Table. All in favor signify by saying Aye. All opposed. The Ayes have it. Motion to reconsider is Tabled. Senator Schaffer, are you ready on 2058 as long as we're right there? It's on Supplemental Calendar No. 2, the bottom of page 2, Conference Committee report on House Bill 2058, Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, I'm sure the membership remembers this is a public aid bill. It puts a cap on the GA payments and the hospital line item and delays the next rate increase for the nursing homes. Minimum impact on the State of some seventy million dollars. The Governor's handlers tell me without this bill they strongly suspect the Governor will have very little choice but to reconvene us for another fun filled Session in the Emerald City here. I don't think any of us want to do it. It is going to inflict a load on the hospitals. I've been reminded that most of those hospitals took Hill-Burton money when they were built and promised to meet certain obligations to the poor when they took the money. Haven't heard that mentioned lately, but it

is still a difficult thing but it's something I do believe we have to do.

PRESIDENT:

Discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'll be brief. This bill wasn't any good before and it's no good now. That what you're talking about is that the people that need more than five hundred dollars to allow them to go in...to be using hospitals. It's a bad bill and we should defeat it.

PRESIDENT:

Further discussion? Senator Lemke.

SENATOR LEMKE:

Is this bill going to increase or decrease people that pay for hospitalization?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Well, I think universally there probably are some exceptions, but I suspect that it will have a negative effect on private paid patients because the hospitals will by and large be forced to spread their cost around. I won't kid anybody about it. I might add, they've been doing that for a hundred years. There was a time the hospitals had a very sizable...part of their budget as charitable contributions and in recent times more and more of that was picked up by public aid. This will obviously work against that trend.

PRESIDENT:

Senator Lemke.

SENATOR LEMKE:

Then the twenty-five percent that we are paying now, the people that pay for hospitalization, will increase, is that correct?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I'm sorry, I was being programmed. I did not hear that question.

PRESIDENT:

Senator Lenke.

SENATOR LEMKE:

I understand a Federal study showed that the current hospital bills...twenty-five percent of those hospital bills that we...the increase...occurred in those hospital bills was because of public aid and public aid recipients and the government is not doing their obligation to pay the hospital their costs, the lag time and so forth and that was spread out on the private patients who pay. Is that correct?

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

I suspect if one includes Medicaid, Medicare and bad debts and all the other things that add up that a hospital is burdened upon, you're probably right. I would again remind you that this is only a portion of the public aid budget. It is only the GA portion and it isn't a complete going back on the debt or walking away that...as we were faced with in doomsday. There still is a five hundred dollar per episode payment, so it's better than doomsday. I didn't vote for the income tax. I think I'd be a real hypocrite if I didn't support this. If we didn't vote for the income tax, we'll probably be on it. If we had voted for the big...great big income tax, I suppose we wouldn't have been forced to do that, but here we are, the 3rd of July, and so many dollars to work with and that's the way it is.

PRESIDENT:

Further discussion? Senator Lechowicz...I beg your

pardon, Senator Lemke.

SENATOR LEMKE:

I would just like to close. Because what this is going to do is put another tax on those middle class people that are working and...and paying group insurance because the cost of group insurance is going to go up if the State does not meet its obligation to the hospitals and the doctors. That cost is going to be spread on my constituents' hospital bills, and they are going to pay more like they are doing now in regards...it has been proven by a Federal study that we are paying twenty-five percent of our hospital bill is because the State fails to pay promptly the hospitals and the doctors, and I...I think that this should be soundly defeated as a No vote, and I didn't vote for the income tax but I see this is another tax on my people. I ask for a No vote.

PRESIDENT:

Senator Lechowicz.

SENATOR LECHOWICZ:

Well, Mr. President and Ladies and Gentlemen of the Senate, I would encourage that the second Conference Committee be adopted. Now it's either you're going to come back here and reduce the appropriation by approximately seventy million dollars or you're going to move for the adoption of this Conference Committee, that's exactly where we're at. And I can understand the concerns in reference to the hospitals, the nursing homes, and the other health care facilities in this State, but I think you'd better take...start taking a look at the concerns of the budget, and that's exactly what this Conference Committee No. 2 addresses. And I did not vote on the first Conference Committee report hoping that there would some movement in this direction. The Governor is very adamant about the fact that the State just can't afford it. Hopefully, the economic indications will change and there'll be some change in direction, maybe when you're here in the

fall; but right now, I strongly encourage an Aye vote on the second Conference Committee.

PRESIDENT:

Further discussion? Senator Chew.

SENATOR CHEW:

Mr. President, thank you. You know you can go in the hospital under the emergency care and end up with a six hundred dollar bill. I had a upper GI and the damned thing came to six hundred and eleven dollars at a hospital that took thirty minutes to get. We can't afford to cap five hundred dollars for hospital stay. Where...where are these people going? They have no place to go. If we have to come back and let's do it again, let's do it again but this should be defeated. It's...it's bad. This is to say that we have raised your taxes, we have given special interest everything they have requested and now the poor must suffer. I would have to ask you not to support this Conference Committee.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Briefly, many of the people who have spoken against House Bill 2058 were afraid of and didn't want to vote for Senate Bill 495. Let's not kid ourselves...let's not kid ourselves and say that we're doing this for the...we're opposing this for the hospitals. I intend to support 2058, but I want to add something else. Those of you who think mistakenly that somehow you are saving the hospitals from some fate, you're wrong. Already the Department of Public Aid has the statutory authority given to it by both bodies to do by rule this. The net effect of the failure of this bill will be that the nursing home industry, which has gotten an increase every year up until we had to adopt the Emergency Budget Act of 1983, will get another increase. After you cut through all the gymnastics and all the posturing, that's the bottom line.

So, let's quit kidding ourselves. We'll be back here again for the rest of it if we don't pass 2058, and if we voted against...if we were among the twenty-nine who voted against increasing the income tax, the only responsible vote, and I know it's the 2nd of July, the only responsible vote is Aye, it's that simple.

PRESIDENT:

Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Well, Mr. President and members of the Senate,...we may talk about twenty-five percent that the Federal study talked about, but we're not talking about twenty-five percent in what the people we're talking about. The General Assistance Program in the State of Illinois touches a hundred and thirty-five thousand people out of eleven and a half million. Now, the five hundred dollar cap is already in existence, has been in existence, and this is a responsible thing we're going to have to do unless you want to come back and take seventy million dollars out of education or out of some other part of the public aid or out of the mental health budget, wherever. You're not really playing with dollars, extra dollars, if you're going to vote No, you be prepared to come back and take this money way from some other area, and you're talking about a hundred and thirty-five thousand people out of eleven and a half million, and I'm not saying we should ignore them but you are giving them, probably in most instances, more than what they've received ever in their life, and this is a good Yes vote.

PRESIDENT:

Further discussion? Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, I'd like to make everybody aware of that with this five hundred dollar cap that it's sure going to increase the overload at

Cook County Hospital, 'cause these other hospitals are not going to be taking these here; and also the other problems are that while these hospitals are Federally funded, and I'm quite sure that when people are turned away that there are going to be several suits brought against these hospitals. And one other thing, I'd like to also have the record reflect that Senator Earlean Collins and Senator Newhouse, whose districts these affect the most, could not take the time to stay here to vote on things for their people.

PRESIDENT:

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, Mr. President. Just very briefly, whatever your feelings are on this bill, I really think it's not in the best interest of people or the job that we're here to do to say at this hour, or we don't have the time, or we don't have a choice. The fact is, we found the time to do an awful lot of things to and for the people of this State of Illinois. To some people, this is the most important issue that we'll vote on the whole Session; to some, obviously, it's not, but let's not vote this up or down just because we may be afraid to come back here in July. I mean, if that's what we have to do, that's what we have to do. The most important thing is that we cast the correct vote. I personally will be voting No.

PRESIDENT:

Further discussion? Further discussion? Senator Schaffer may close. I beg your pardon, Senator Hall.

SENATOR HALL:

I want to apologize, you know I never get up twice, I have very little to say here. Doc Schaffer, I'm...Doctor Davidson, I'm...I'm sure you didn't mean what you just said and I'm kind of appalled to hear you say that it's more than they've ever had in their life...you thinking what you said

then? There's never more than they had in their life. If that's the kind of feeling around here, if that's what we have come to today, to saying that when we say that five hundred dollars is not enough, I mean, this is a sad commentary when we get into these things today. I voted for income tax, I voted for all this stuff; and here we come, now we're talking about people's lives. I'm...I'm just...I'm appalled.

PRESIDENT:

Senator Schaffer may close. Senator...Senator Davidson.

SENATOR DAVIDSON:

Senator Hall, you didn't listen very closely. I said it was the most care they had in their life. These are people on general assistance, they don't get the money, you're going to send that five hundred dollars to a hospital, and probably most of them have not had that much care in their life. You know people on general assistance and so do I.

PRESIDENT:

Senator Schaffer may close.

SENATOR SCHAFFER:

I think most of us probably know what we're going to do. I think I'm going to try something I don't normally believe in, and that's see if I can convince a couple of you to change your votes. We really do have to do this. If we don't do this, we're going to leave this town and we're going to leave the administration with a couple of options. They will try and implement this by rule. If they fail, they will then be forced to look at the other line item...the Grant line item like they have in the past, you'll recall when it went down to the one thirty-six, if that...if they made that decision immediately, they would kick it down to eighty-six dollars a month, Senator Hall. Eighty-six dollars a month for GA recipient. If that lawsuit drags out several months and they fund a hundred and forty-four for several months before they are finally beaten, they may have to kick that thing

down to fifty or sixty dollars a month. Now, I don't think anybody in this Chamber wants to see that happen. I don't like doing this to the hospitals and the nursing homes. I wish we had more money. I wish a lot of things. I don't think if we are, in fact, interested in the poor people of this State, the people who we are charged with taking care of, I don't see how we can let this particular Conference Committee go down.

PRESIDENT:

Question is, shall the Senate adopt the Conference Committee report on House Bill 2058. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, there are 31 Ayes, and 20 Nays, and 1 voting Present. The Conference Committee report is not adopted. If you'll turn to page 6 on the Calendar, on the Order of Conference Committee Reports, Conference Committee report on House Bill 687, page 6 of the regular Calendar, the first Calendar. Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I guess many of us over the last several days have had many numerous printouts on school aid and formula revisions for elementary and secondary throughout Illinois, and, of course, I, like another member that mentioned a few minutes ago that never expected when you send a bill to the House what it's going to come back as; and all of a sudden, here comes back the School Aid Formula. Not being a member of the School Problems Commission or being a person who has had an intimate relationship with the development of the School Aid Formula, I will attempt to summarize briefly what is in this proposal and then yield to those individuals who are more knowledgeable than I. This House Bill 687

changes the calculation of the School Aid Formula for Fiscal Year 1984 by; one, establishing a hold harmless for low income students in school districts; and, two, by increasing the guaranteed assessed valuation to increase the per pupil support level in the formula. The proposal, I think, is similar to the one that was...that has been around here with Senator Davidson and...and...and others. I think it's been debated on numerous occasions, and for that, I will just simply open it up for questions and for discussion.

PRESIDENT:

Discussion? Is there discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I started the same debate on Senate Bill 89 and it was taken out of the record. This is a bill that was debated a few days ago. It was defeated on the Floor of this Senate. It was defeated because it's unfair to the school districts in which a majority of the students in the State of Illinois attend schools. Chicago loses almost five million dollars, the collar counties lose money. It is a formula that was thought up by a few people after pushing a bunch of buttons on a computer. It says that you're going to use either your 1980 census count for your Title I children or eighty-five percent of your 1970 census count. I don't know what was magic about those numbers, that's what you're presented with. I've distributed a...a sheet that shows that Chicago, as I said, loses a little less than five million; Suburban Cook loses two...two and a half million dollars; DuPage loses seven hundred thousand; Kane County loses six hundred thousand; Lake County loses one hundred thousand; McHenry County loses a hundred thousand; Will County loses three hundred thousand. And the printout is here for those of you that want to see it. I don't think it is fair. I just want to underline that some of the poorest districts in the State

lose, including East St. Louis. And I want to make sure that every legislator, every Senator from Chicago, hears this loud and clear. Chicago, under this formula, if you vote Aye, Chicago loses almost five million dollars. I hope nobody misunderstands that, especially the Senators from Chicago. I urge a No vote.

PRESIDENT:

Discussion? Senator Lemke.

SENATOR LEMKE:

This is the bill where the voice of the educators and for education for all the children in Illinois decide that their children are more select than the children in other districts. This bill steals money from every school district in my legislative district, every school district, to go down to Springfield and other areas of the State of Illinois and to give it to people that we help finance by paying their salaries. This is the raid of every kid's education, but the same individuals who get up here time and time again and say you got to vote for this bill 'cause this is for the education of all the kids. This is ridiculous, and I think that people should have had a printout on this bill on their desks so you know what you're losing before you vote on it. I ask for a No vote.

PRESIDENT:

Discussion? Further discussion? Senator Davidson.

SENATOR DAVIDSON:

Mr. President and members of the Senate, I rise in support of this bill. Every one of you had a printout on your desk. In fact, you had several of them including those which compared what this formula did, what Senator Berman's formula did, what Senator Buzbee's did, a whole ton of them. Let's be correct. Senator Berman talks about losing five million dollars, but he's not losing five million dollars, he's gaining twenty-one million dollars plus over what the City of

Chicago received this year. And he goes from 33.91 percent of the total take for twenty-two percent of the kids to thirty-four percent 05. Now, all this formula is trying to do is to even out between the losers and the winners. Now, I've got losers and I've got winners in my district. Some of them...if we do nothing, some of them get substantially big, big, losses, and I have some who are substantially big winners just like you do. Now, the whole thrust behind this bill is what we've been doing since 1973, which we did to help make an equal amount of money available for those students in the inner City of Chicago as well as some of the more poorer districts downstate. All this bill tries to do, it gives the school districts an opportunity to choose the way they want to go, which is the most financial gain for them. Either use the Chapter I '80 census figures or use eighty-five percent of the Title I census figures of 1970. All this tries to do, tries to do, is to make a more equitable funding, and we did, but it lost on an amendment stage vote. But the other thing Senator Berman didn't tell you, we sent...excuse me, we sent Senate Bill 1182 out of here...excuse me, with a formula that took more money from Chicago than this one does. It went out of here with thirty some odd plus votes. It weighted Title I at .60. And those of you from Chicago, understand one thing, the Title I weighting money follows the student. It doesn't go all over the district, it follows the student. This is an equitable, fair way to try to have...even out the winners and losers throughout the State. I think you ought to vote Aye.

PRESIDENT:

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

Thank you, Mr. President. I am totally confused. Fifteen minutes ago I walked up to you, Senator Berman, and said, is this the bill...the school...when your...your bill

was called. No, the...the last bill. There's another school...another school formula bill that went out fifteen minutes ago, is that Doc Davidson? Oh, I stand corrected. Is this the only game in town? I'd just like it on the record, is this the only game in town? It's the pristine school problems Sanhedrin bill? Well, I haven't talked much today but I'm ready to take it on in this one again. We always wind up on at least the 30th of June, the 1st of July or the 2nd of July wondering what the school formula is. And all I want to know, Mr. Sponsor, who's that now? Senator Demuzio, but I'll defer to anybody that can answer. What does it do to suburban collar county schools on the School Aid Formula as submitted by Senator Berman and Representative Gene Hoffman and their associates? Good or bad.

PRESIDENT:

Senator Demuzio.

SENATOR DEMUZIO:

Well, I will yield to Senator Davidson.

PRESIDENT:

Alright, Senator Maitland has got his light on, I'm sure he will elucidate. Senator Maitland.

SENATOR MAITLAND:

Well, Mr. President, only...the printout, I think...I think Senator Grotberg has the sheet, and it will tell you. But the thing that...that tends to be confusing...and, Senator Lemke, listen for a change, will you, please? Everyone in this Chamber believes, understands and agrees with Title I, okay? It's very necessary. Senator Davidson put it very, very, well. With this formula you will be getting a greater percentage of and a greater amount of the money in the ensuing year. More, not less but more. We're not taking it away from you. Senator Berman was correct when he said it would cost the Chicago school system five million dollars. True, if we don't do anything at all. We can't do that. The game

isn't played that way. We now have new Chapter I counts, and it was devastating to some school districts. And this was better, better, better, than any act around. And it gives you much more money in the Chicago school system for FY '84. You should support this bill, not oppose it. It's doing exactly what it's supposed to do, and I urge we adopt the Conference Committee report on House Bill 687.

PRESIDENT:

Any further discussion? Further discussion? Senator Bruce.

SENATOR BRUCE:

Thank you. Just to echo the comments of Senator Maitland. The question is whether or not we're going to change the formula to do equity, that's it. The formula every year in this Body is changed. We all know that when we start the beginning of every year, we're going to try to reflect the needs and wants of every school district in the State of Illinois. The School Problems Commission has developed this proposal, it came out of there. Not everybody likes it. I have districts that win, I have districts that lose. Representative Hoffman had districts that won and districts that lost, and it passed out of the House with his overwhelming support, because on balance State-wide everybody benefits more with this formula than with the formula we have. We now know what the '80 census is on Title I. We ought to take that into effect. No one's trying to hurt anybody's school district, but we ought to...every time we vote, if we're going to vote for an income tax, and we're going to add money into the State Aid Formula, we ought to then divide up that money fairly. No one ought to be able to sit and say, well, let's not change the formula, I'm going to lose a little money, this guy's going to get a little money. This is fair to every district in the State of Illinois, including the City of Chicago, including their district,

because they will get more money. With the change, they don't get as much as they would have but we ought to be fair to everybody in the State of Illinois. Title I we know where the students are. We know how the...the shift has occurred with the '80 census. We ought to reflect that shift, that's what exactly this bill says. You have a hold harmless to eighty-five percent of your last year's Title I...your '70 Title I, that's fair. We ought to pass this formula.

PRESIDENT:

Senator Bruce. Senator Grotberg.

SENATOR GROTEBERG:

For the second time, with thirty seconds to say that those of us downstate, and I talk to you way downstaters, this is a beneficial bill. It costs my...school district a few dollars, but I'll tell you this, the whole thrust of the bill is in our favor and I would urge everybody downstate to vote for it.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in opposition to the Conference Committee report on 687 and would like to reiterate, reiterate, what Senator Berman said. We argued at some great length around here about how lacking the Chicago School Board was in terms of financial resources. And the champions road to the aid of the Chicago School Board, it imposed a fifty-cent tax increase on the property taxpayers of the City of Chicago. This formula admittedly...they don't even try to hide it, it just takes five million dollars from the Chicago School Board. Five million like it was nothing, and where does it take it from? That's the beauty of it, it takes it from the Title I kids; takes it from the educationally and economically disadvantaged. How sweet it is. And I would ask the

press corps and every member in here to take a look, and if there is any member from the City of Chicago registered in the affirmative on this bill, watch out, watch out. This bill should not pass. We are depriving the educationally disadvantaged of money that's targeted to follow them. This obviously was a trade-off. I don't have any...make any bones about it, everybody knows it. It was a trade-off for the Chicago property taxpayers increase. We have traded off five million dollars from the educationally disadvantaged children of Chicago. Shame.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah, thank you, Mr. President and members of the Senate. I feel after the remarks of the President of the Senate I must comment. As Senator...Bruce pointed out, when I first changed the law to require the Chicago schools to target the funds for economically disadvantaged students, you were not with me then. You opposed targeting the funds to the students who generate the funds. Every year since that date, the Title I weighting has been reduced. It used to be...I mean, 1.75. It went down to 0.75...I mean, 675. It went down to 62. But to stand on this Senate Floor and talk about deals being made to take money from disadvantaged students is nothing further from the truth. The money is targeted in Chicago and across the State of Illinois. It was legislation that I sponsored. I sponsored the legislation to make sure that every district with economically disadvantaged students must file that report to tell what they are doing with the money to take care of those children. You were not with me then, you opposed that. We know we've lost population in Chicago. I know if the formula stays as is we will get more money even though we...may not be entitled to it. But my vote on this issue is not taking one dime, not one dime from

the economically disadvantaged students because the money is targeted. You wanted the money to go to all the students, as...as though the economically disadvantaged students would receive their education by way of osmosis. It doesn't work that way. If I vote on this issue, if I vote in the affirmative, not one economically disadvantaged student in the City of Chicago public school system will be hurt, because the funds are targeted. So, when you make a statement or an issue, know what you're talking about, and don't accuse anyone of deals because you make deals every day in this Body. I'll vote my conscience on this issue.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Demuzio may close.

SENATOR DEMUZIO:

Well, thank you, very much, Mr. President. I am told reliably that this is, in fact, the last game in town, as Senator Grotberg has indicated. That the House has adjourned and we have, over the course of the last several days, had an opportunity to discuss this proposal. It has winners and losers, it doesn't do everything for everybody, including special education, for example, and it doesn't do anything for the gifted and the other programs and the categoricals and what have you. But elementary and secondary education formula, this is it. I have winners and losers too. I'm prepared to support it. I move the adoption of the Conference Committee Report No. 1 to House Bill 687.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on House Bill 687. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 15, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 687, and

the bill having received the required constitutional majority of three-fifths affirmative votes of the members elected is effective immediately upon its becoming a law. For what purpose does Senator Berman arise?

SENATOR BERMAN:

Request a verification of the affirmative roll.

PRESIDING OFFICER: (SENATOR BRUCE)

There's been a request for a verification. Will the members please be in their seats. The Secretary will call those who voted in the affirmative.

SECRETARY:

The following voted in the affirmative: Barkhausen, Bloom, Bruce, Buzbee, Chew, Coffey, Darrow, Davidson, DeAngelis, Demuzio, Etheredge, Fawell, Friedland, Geo-Karis, Grothberg, Holmberg, Hudson, Jones, Jerome Joyce, Keats, Kent, Kustra, Luft, Macdonald, Mahar, Maitland, Philip, Rigney, Rupp, Sangmeister, Schaffer, Schuneman, Smith, Sommer, Vadalabene, Watson, Weaver, Welch.

PRESIDENT:

Senator Berman, do you question the presence of any member?

SENATOR BERMAN:

Senator Smith.

PRESIDENT:

Senator Smith. Senator Smith on the Floor? Senator Smith is on the Floor, Senator Berman, she's on the phone.

SENATOR BERMAN:

It appears everyone else is here. I have no further questions.

PRESIDENT:

Alright. On that question, the roll has been verified, there are 38 Ayes, 15 Nays, none voting Present. The Senate does adopt the Conference Committee report on House Bill 687, and the bill having received the required constitutional

majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Demuzio moves to reconsider the vote by which 687 was declared passed. Senator Bruce moves to lay that motion upon the Table. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion is Tabled. On Supplemental No. 1...Supplemental No. 1, the bottom of Page 1, Conference Committee report on Senate Bill 374. Supplemental No. 1, bottom of Page 1, 374, Senator Weaver.

END OF REEL

REEL #11

SENATOR WEAVER:

Thank you, Mr. President. This is Conference Committee Report No. 1 funding education, community colleges, Scholarship Commission, Civil Service Merit Board, Purchase Care Review Board in the total amount of three billion eight hundred and nineteen million three hundred and fifteen thousand dollars. There are a great many...may be some questions that various Senators may have, but I'd be happy to answer any of the questions. This is the allocation to elementary and secondary, the allocation to higher education State-wide, and I'd move we adopt Conference Committee...Report No. 1.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Body. Each year I have been in this General Assembly I have voted No on the appropriation for elementary and secondary education; the reason being that I was displeased with the formula by which State aid is distributed. I am happy that this year, finally, we have all realized the implications of that particularly formula and, hopefully, through some direction from the State Board of Education and without any obstruction from the School Problems Commission, we may address that issue. However, a new phenomenon has appeared on our horizon. Last year when the cuts were made in the Governor's budget, sixty-seven percent of those cuts were made out of special education. The elementary and secondary group, through their great generosity, as the Board of Higher Ed. does occasionally with the Scholarship Commission, seeks the least advantaged group and then proceeds to be generous with the cutting process by laying the heavy hit on them. I want to

point out to you that in this budget, special education is going to receive less, probably the only group, I'm not sure, than they would have received based on the appropriate or the budgeted amount for last year. And I think that it's somewhat distressing that we pass a tax increase, that we do the things that we say we're going to do and then select those groups who have the least representation and make them the targets of this particular form of appropriation. The personnel item which reimbursed school districts...and, you know, we pass bills around here that say the minimum school teacher's wage is going to have to be this, and we pass all these other things...is sixty-two hundred and fifty dollars which is the same amount it has been since...1975. I know the bill is going to fly, but I would hope that next year we would address ourselves...perhaps bringing more equity through the distribution, which we just argued about for about half-hour, but most particularly to those people who have the least constituencies in the educational community.

PRESIDENT:

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you, Mr. President. I will be very brief, but in answer to my colleague's problem. Senator DeAngelis, what has happened in the schools over the last few years is that the special education has become, to a very large extent, the dumping ground of all the Tom Sawyers and Huckleberry Finns that the normal school teacher used to have to put up with and used to have to teach in...within the classroom. We are not...we have gone way too far with this special ed., I have nothing against the children that truly need it, I have taught them; but believe me, we have gone too far with this...with this type of education and we are really depriving some, particularly boys, that have acted up and acted out in classrooms, and we've...we've labelled them as special

students; and if we don't start cutting back on this, sure as heck the schools aren't going to.

PRESIDENT:

Further discussion? Further discussion? If not, the question is, shall the Senate adopt the Conference Committee report on Senate Bill 374. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 5, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 374, and the bill having received the required constitutional majority is declared passed and having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Bruce moves to reconsider. Senator Carroll moves to lay that motion upon the Table. All in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. If you'll turn to Supplemental Calendar No. 3...Supplemental Calendar No. 3, the one-page Calendar. Conference Committee report was considered earlier on 1263. Mr. Secretary.

SECRETARY:

First Conference Committee report on Senate Bill 1263, and the conference...the first report lost.

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. This is the CDB...authorization...

PRESIDENT:

Is there a...we need a motion, right? Is there a motion filed? Alright, Senator Weaver moves to reconsider the vote by which Senate Bill 1263, the Conference Committee report on that bill was...had been declared lost. Those in favor of

the motion to reconsider will vote Aye. Those opposed will vote Nay. The voting is open. All voted who wish? All voted who wish? All voted who wish? Take the record. On that question, there are 40 Ayes, 10 Nays, none voting Present. The vote is reconsidered. On the main question...Supplemental Calendar No. 3, the Conference Committee report on Senate Bill 1263. Senator Weaver.

SENATOR WEAVER:

Well, thank you, Mr. President. Let me explain. We thought there may be a problem earlier in the day but it is worked out. This is the CDB authorization in the amount of a billion nine hundred and fifty million. This is an increase of about a hundred and sixty-five million in CDB authorization. Also, there is a section on the five-year program in the Transportation A and B Bond Funds in the amount of about six hundred and twenty-five million. If there are any questions, I'll be happy to try to answer them. I can go through the various categories of...of the '83 versus the '84 level, but it is an authorization for bonding in the amount of a billion nine hundred and fifty million.

PRESIDENT:

Discussion? Any discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President. Will the sponsor yield for a question?...Senator Weaver, you said you thought there may be a problem, what was the problem that you worked out?

PRESIDENT:

Senator Weaver.

SENATOR WEAVER:

Well, there was some technical language in the Conference Committee report as it came over from the House that we were a little bit concerned with, Senator Hall, but evidently it's alright and we are satisfied that this does the job for all capital improvements State-wide.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Lechowicz.

SENATOR LECHOWICZ:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Lechowicz.

SENATOR LECHOWICZ:

I notice an increase in the Series A and Series B Bond series on Transportation, and I was wondering if you could give us a breakdown what the proposed increase is and how it will affect the Cook County area and the City of Chicago specifically, and whether we will have to have the matching participation for the...for the use of these bonds.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

In the Series A Transportation Bond issue it's an increase of seventy-five million dollars a year for a five-year period. In Series B, it's a fifty million dollar increase for a five-year period.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President. I don't believe that answered my question. My question was, on the Series A and B Transportation Bonds, how does it affect the participation by the City of Chicago and the County of Cook?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

Along the Series A Bond issue we provided seventy-five million dollars for the transportation A highway construction in the amount of seventy-five thousand dollars a year for

five...over a five-year period. In the mass transit area we've provided for fifty thousand...fifty million dollars a year for mass transit over a five-year period.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

So, basically, what it amounts to is an increase over a five-year period of approximately three hundred and seventy-five million in Series A and...and two hundred and fifty million in Series B. Now, the increases in education, corrections, conservation and the other State agencies, has that been approved and the costs reflected in the budget as passed?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver.

SENATOR WEAVER:

This reflects the budget just passed in the capital program, Senator Lechowicz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, very much.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Weaver may close.

SENATOR WEAVER:

I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report on Senate Bill 1263. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On the question...on that question, the Ayes are 37, the Nays are

H.B. 2055
C.C.R.

14, 2 voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 1263, and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law. Senator Weaver moves to reconsider the vote. Senator Grotberg moves to lay that motion upon the Table. On the motion to Table, those in favor say Aye. Opposed Nay. The Ayes have it. The motion is Tabled. For what purpose does Senator Rock arise?

SENATOR ROCK:

While we're on that Calendar, in addition to the eight bills I listed before, the Chair, when I was presiding, had a request to stay on that Calendar and go to the Order of 2055.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. We are on the Order of Supplemental 3, and if you will add to your list House Bill 2055, and that is on the Supplemental 3 Calendar. And since we are at that Calendar, is there leave to take up 2055? Leave is granted. Senator Grotberg is recognized.

SENATOR GROTBORG:

Thank you, Mr. President. 2055 is now back pretty, pure, pristine and simple. It has in it that...that poll watchers in all of our precincts..and I are one, so I presume that you are too, may be substituted...part-time poll watchers is what we're talking about, and they can work more than one precinct as long as everybody says it's okay. The second amendment is still in the bill, which provides that a party candidate who loses in a primary is ineligible to run under a new political party in a general election. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Chew.

SENATOR CHEW:

Yes, Mr. President, would the sponsor yield for two ques-

tions?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield, Senator Chew.

SENATOR CHEW:

Is there anything in this bill that deals with the conditions of the aldermanic candidates in the State of Illinois in the event one is out of office and one has to be appointed, or a special election or anything?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President. It has been stripped out by...I would ask the Chair to verify that, that the Chicago aldermanic election or appointment concept is out of the bill and only the two subjects I mentioned are in the bill, and if the Chair would please support me.

PRESIDING OFFICER: (SENATOR BRUCE)

Yes. Because I believe there may be a question, the Conference Committee report's contents at the present time is that the House concur in Senate Amendment No. 1. This is a corrected first Conference Committee report on House Bill 2055. Senator Chew.

SENATOR CHEW:

And are we saying that one who loses in the primary cannot come back in a general election on a new party?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTEBERG:

Correct.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Chew. Senator Macdonald.

SENATOR MACDONALD:

Well, I just rise, Mr. President and Ladies and Gentlemen of the Senate, to say that I strongly support Senate Amend-

ment No. 1. It protects the integrity of the election system, and I...I think does much to strengthen this bill. When the bill was heard in committee, there was not...a similar bill was heard in committee and there...was not a quorum in the committee, and I think that this is an excellent amendment for this bill, and I do urge your support for this fine measure.

PRESIDING OFFICER: (SENATOR BRUCE)

Further debate? Further debate? The question is, shall the Senate adopt the first Conference Committee report on House Bill 2055. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are 3, none voting Present. The Senate does adopt the first Conference Committee report on House Bill 2055, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. We will now go to the third Supplemental...we will go to Supplemental 4 for House Bill 1002 which is on the Order of Postponed Consideration. Senator Coffey.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. If I could quickly...and I hate to bring this back to the attention of the Body, but if I could quickly go over this and ask you to reconsider the vote that we had a few minutes ago. I had handed out earlier, for some of you that might be concerned about this being a tax increase without a referendum, there was a...a handout from Doug Whitley with...with the Taxpayers' Federation in support of this measure. And let me explain it quickly again, and I think that's the part that some of you were reluctant to...one of the reasons you were reluctant to support this Conference Committee report. And...and I'm just going to go over very quickly some coun-

ties and some of the problems that we have. In Carroll County, for instance, the election levy that they're...actually able to...to levy was thirty-seven thousand four hundred and forty dollars. Their election for the expense of that levy was forty-five million. Champaign had a levy that would allow them to raise two hundred and ninety-eight thousand, their actual cost of the election was three hundred and sixty-five thousand five hundred. McLean County, a hundred and fifty-seven thousand to hold the election, their actual cost was two hundred and forty-eight thousand. Now, I can go into more of them. Macon County was the same way. Some of them cost as much as twice the cost of running the election under the consolidation that we put upon the counties here some time ago. This levy doesn't allow them to accumulate money. It does not allow them to use money to put additional staff into their offices. But, actually, for those costs that is incurred in holding those elections in those communities, it allows them to extend that levy. It does have a cap on it. If that...if...actually, after they levy if there is an additional amount of money that is left over in that fund, on the next levy they have to levy less amount of money. It can't be transferred to any other fund; it can only be used for them to hold those elections in those areas. I would close just saying again that with the Taxpayers' Federation in support, I think it would be easier for us to support this bill. It would help our counties to be able to take care of those election costs, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DENUZIO)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

One question of the sponsor. Is there...

PRESIDING OFFICER: (SENATOR DENUZIO)

He will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

...is there or is there not a referendum in this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Coffey.

SENATOR COFFEY:

...there is not a referendum, there is a cap; and with this cap, even up to where that cap is at, if they...if in that levy they accumulate more money than the actual cost of the election, they cannot use it for any other purpose; and on the next levy, they would, of course, lessen their levy at that time because they cannot accumulate money or can be transferred to any other account. For only election costs that's incurred for those elections.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of this. When the consolidation of elections went into effect it was supposed to be the cure-all. It was supposed to be the answer. After a long deliberations by a couple of our former deceased members, and for others that worked in the House, but what we forgot was that depressed areas, people with declining assessed valuation. There's not enough money. It ended up being a poll tax on poor communities, and that's the problem I've had in one area in my district. And I've tried repeatedly...at one time last Session we put on forty thousand dollars to help carry on the election, the Governor vetoed it. The State Board of Election wanted not to have anything to do with it. But what we have done, Ladies and Gentlemen, we have put people into a posture in some areas where they cannot exercise their franchise. One of the greatest things we have in this country today is to be able to exercise your franchise. We, by action of this Legislature, has failed, and it's...and

their answer...consolidation of election wasn't the answer. Now, this, sure, to many communities is a windfall. They have more money than they need. But Senator Coffey is exactly correct, we should all support this or else we're going to get to where your going to have suits brought in Federal courts because people are going to be...denied the right to vote. And one of the greatest things we have today is that ballot box, and I'm sure all of you want to see everybody get a chance to exercise this franchise. I would ask everyone to support this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Coffey may close.

SENATOR COFFEY:

Well, thank you, very much, Mr. President and members of the Senate. In closing, just saying that, you know, we, the Legislature, asked for the consolidation of elections and we put this burden and cost upon the counties. I think it is our...it should be our position...and I think it was even stated earlier when we did consolidate...and not give them adequate money in the levy that we do something about it and this is what this does. There's some counties, and I have one in my area, that...that has adequate money under the levy to administer their election. In that case, they are not able to levy because they have a surplus and they cannot create a surplus fund. I'd ask a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. The question is, shall the Senate adopt the Conference Committee report on House Bill 1002. Those in favor vote Aye. Those opposed vote...vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 40, the Nays are 8, 2 voting Present. The Senate does adopt the Conference Committee report on House Bill...1002,

and the bill having received an affirmative vote of three-fifths of the members elected is effective immediately upon its becoming a law. Senate Bill 310, Senator Vadalabene. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senate Bill 310 is on postponed consideration, which is a pay raise for the regional superintendents of schools. We were three votes short, and I understand that possibly there's a chance that we will have the thirty-six votes. I do want to remind them that they...they removed it. It's a straight five thousand dollar pay increase. There's no increments in 1984, '85 or '86, and also I might make this observation that the regional superintendents of schools, by law, cannot do any...cannot have any other employment. And this is the last chance, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, I'd just like to point out, Mr. President, that if the regional school superintendents worked as hard as Senator Vadalabene has to try and pass this bill, they'd be worth it, but I contend they don't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bruce.

SENATOR BRUCE:

Well, I...I know the Body, I'm not going to take up a lot of time. You know what this is. They are elected public officials. We need to respond. We have had...this is, I think, the third or fourth roll call, you're not going to see it again. These guys take office in August. There was some confusion, five people that I thought were going to vote for it last time did not because confusion the way the...the salary schedule was set up. This is a one-time five thousand

dollar bump, that's it. No more, no add-ons, no nothing, that's it. I would like to get this bill out of here this evening. These guys take office in August, we cannot do anything after we leave today.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

For the fifth time, this should be killed.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Kustra.

SENATOR KUSTRA:

Thank you, Mr. President. I tried to resist this on the last three times this bill came up, but this does include the superintendent...the regional superintendent in Cook County who has been so insensitive to the school districts of that county. This would be a grave mistake.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, I'm tired, I'm exhausted, I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate adopt the Conference Committee on Senate Bill 310. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 13, 1 voting Present. The Senate does adopt the Conference Committee report on Senate Bill 310, and the bill having received the affirmative vote of three-fifths of the members elected is effective immediately...upon its becoming a law. Senator Lechowicz, for what purpose do you arise?

SENATOR LECHOWICZ:

Verification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz has requested a verification of the affirmative roll. The members will be in their seats. The Secretary will read the affirmative vote. Mr. Secretary.

SECRETARY:

The following voted in the affirmative: Becker, Berman, Bruce, Buzbee, Carroll, Chew, Coffey, D'Arco, Davidson, Dawson, DeAngelis, Degnan, Demuzio, Egan, Etheredge, Fawell, Friedland, Geo-Karis, Grotberg, Hall, Holmberg, Jones, Keats, Lemke, Macdonald, Mahar, Marovitz, Philip, Rigney, Rupp, Sangmeister, Schaffer, Schuneman, Smith, Vadalabene, Watson, Weaver and Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lechowicz, do you question the presence of any member?

SENATOR LECHOWICZ:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is Senator Dawson on the Floor? Senator Dawson on the Floor? Senator Dawson is on the Floor. Senator Lechowicz, do you question the presence of any...absence of any other member?

SENATOR LECHOWICZ:

Senator Keats.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Keats on the Floor? Sitting in his seat. Senator Lechowicz, do you...

SENATOR LECHOWICZ:

No further questions.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright, on the verified roll call, the Ayes are 38, the Nays are 13, 1 voting Present. The roll has been verified. Senator Vadalabene moves to reconsider the vote. Senator

Bruce moves that...Senator Bruce moves to Table. All those in favor signify by saying Aye. Opposed Nay. The Ayes have it. The motion lies on the Table.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. We have a few matters of paper work that we need to handle. Is there leave to go to the Order of Messages from the House? Leave is granted. Message from the House.

SECRETARY:

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

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

House Joint Resolution 71.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive Committee.

SECRETARY:

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

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

House Joint Resolution 72.

(Secretary reads HJR 72)

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock is recognized on the adjournment resolution.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 72 is the adjournment resolution. When we conclude our business, hopefully, very shortly, we have but two matters remaining...legislative matters remaining, two. So, I'd urge everybody to stay put. It calls for us at the close of business today to return to

Springfield and address the fall Session on October the 5th, October 5, at the hour of noon. I'd move to suspend the rules for its immediate consideration and adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to suspend the rules. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The rules are suspended. On the motion to adopt, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it and the resolution is adopted. Is there leave to go to the Order of Motions in Writing? Leave is granted. Motions in writing, Mr. Secretary.

SECRETARY:

Having voted on the prevailing side, I move to reconsider the vote by which the second Conference Committee on House Bill 2058 failed. Signed, Senator Dawson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

Mr. President, Ladies and Gentlemen of the Senate. Sometimes against my better wishes, I have to do something. I ask for the Senate to reconsider the vote on House Bill 2058. The motion is filed in writing.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to reconsider the vote by which 2058 failed to pass. On the motion, is there discussion? Yes, Senator Dawson, did vote on the prevailing side? On the motion to reconsider, those in favor say Aye. Opposed Nay. The Ayes have it and the motion to reconsider prevails. It's on the second Supplemental, if I might have your attention of the Body, on the second Supplemental, page 2, is House Bill 2058 under the sponsorship of Senator Schaffer. Senator Schaffer, you are recognized. The vote by which that failed has been reconsidered, it is back before the Body. It is on the second Supplemental on page 2; second Supplemental, page 2.

SENATOR SCHAPPER:

I'll just identify it again, this is the hospital caps, the nursing home increase delay. What more can I say?

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The motion is to adopt. Senator Hall.

SENATOR HALL:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. You know that I've heard that the Governor has been up here twisting some arms. Now if he had been watching as the captain of this ship and been running this State in the same shape that has been running around here watching all this so closely, we wouldn't be on the rocks in the shape that we're in. Now there's a few things and I'm kind of, really appalled here to find out that here he comes in and they're trying to put this bill back on...on the poor. I'll tell you, there's some things...and I want to tell you this, that this is not seventy million. Hospital costs can be deferred until 1985. The next thing is nursing home costs, they pay that twice, July and January. Also...and when you just stop and think, you're spending seven million dollars for the Sears...bill here...building in Springfield, yes, Senator Davidson, seven million dollars. You got the Dana House last year for one million and a parking lot. Now you can spend all that money around here, but you don't want to give people more than five hundred dollars in a hospital a day. I don't know what can happen. I see that one of my strongest supporters has now made the motion in writing, but I'll appeal to all of you, hang tight. Now, this...all this stuff that he's paying around here, the thing has been...there's been fear all along here. Roosevelt said, "The only thing you have to fear is fear itself." We put on this income tax; you put on a gas tax on people; you put on a license plate on people, raise it from eighteen to thirty to

forty-eight dollars, and you come along here and all you ask is merely...

PRESIDING OFFICER: (SENATOR BRUCE)

Excuse me, Senator Hall. May we have some order, please. We have this and one more bill. We've done very well today. If we can take our conferences off the Floor, off the Floor, please. Let's...please, gentlemen, if we can take our conferences off the Floor. Around Senator Grotberg's desk, if we can take that conference off the Floor. The...people behind Senator Hall, if they would just observe, we will appreciate. Senator Hall.

SENATOR HALL:

It's...as I said before, it's a sad, sad day. This is a red letter day when you think, here we are, the time is going toward nine o'clock, here we are on the 2nd of July, and here in the great State of Illinois, the land of Lincoln, a man who had compassion, who really had love for the poor people, the indigent people, the elderly people and the people who never had really an opportunity, many of them; and yet, we think nothing of doing all these other things. And here you are going to reconsider a bill that we have beaten twice. I hope that your conscience will be your guide and you will continue to vote No and stand fast. I know there are plenty of good people here and I want to see the ones who can safely...and I would be proud to walk to the O. K. Corral with.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. If we can have some order, please. May we have some order. All right. Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. We are faced here this evening with a decision that could have been avoided. On June the 30th, at about 10:15 p. m., I stood on this Floor and spoke

on behalf of the income tax increase and at that time stated it was a sham and a farce because it didn't do enough and this is the product of that sham and farce. The cost of not doing this is seventy million dollars. That money is not available. We have the choice of either doing this or coming back when the Governor calls us into Special Session and taking seventy million dollars...could I have some order, Mr. President, please.

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. I know that everyone is anxious to leave, but please let us have order the last ten or fifteen minutes. Senator Buzbee, perhaps if you'll wait just a moment. Can we...we...we seem to be congregating around the doors. If the sergeant-at-arms would just...also remove all the gentlemen that don't have on jackets, maybe we can get back to work. Senator Buzbee...Gentlemen and Ladies, if we can have some order. Senator Buzbee.

SENATOR BUZBEE:

Had we passed an adequate income tax, we would not have been faced with this choice at this time. We did not pass an adequate income tax increase and so we are faced with another choice; that is, not passing this bill and having the Governor call us back into Special Session to reduce seventy million dollars out of the appropriations that we have already passed. Let me tell you where those seventy million dollars would come, it would come right straight out of education. They would come out of elementary and secondary and they would come out of higher ed., two areas that cannot afford to lose one more dollar, in my opinion. So, as a result, we are faced with the prospect of putting our hospitals into a terrible bind. I have voted No on this bill every time it's been in front of us. Senator Bruce identified earlier in my district there are a lot of little hospitals. I have been very close to the folks in those hospitals, I have...I

empathize with them. Some of those hospitals in the city that I believe have not done near an adequate enough job to contain their costs, that is simply not the case in the small hospitals in my district. They have cut and cut and cut and cut. There is no place else for them to cut. Now the fact of the matter is, this is going to hurt the hospitals in my district. There are a lot of people in my district that are hurt. We have literally had people dying on the streets because they could not get medical aid to the indigent. We have had priests taking up collections to be able to buy insulin, we have had children going unserved. This is the toughest vote I will cast, and I...I voted for the income tax and I voted for the gasoline tax and for the sales tax and for the license fee increase, but this is the toughest vote I will cast this Session. We don't have any other choice. I'm going to...vote Aye on 2058 and I think I'm going to be the thirty-sixth vote.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Hall.

SENATOR HALL:

I want...thank you, Mr. President. I want to apologize for being up twice. It looks like the skids are greased. And what I want to say is that it's just hard, I'm truly disappointed here to see people turning around. I also want to make a request so that I want to be heard over the noise of everybody, I know you'll be very fair up there, Senator Bruce, but I'm making it known now that I want a verification of the roll call. Now the thing is that here we are, as I say it again, if you mean to tell me that I've always supported everything around here that...I've been on the School Problems Committee; when I was in the House I was strong for education; I've always been for roads and all these other things, but when you're talking about human life, the first thing...it's great to talk about all these other programs,

but the first duty that we have is to take care of the hungry, clothe the naked, take care of the indigent, the elderly, the sick and just remember that all of you, one of these days, you're going to get old. There's an old saying, if Mother Nature don't get you, Father Time will; and I'll tell you this, that it's a sad, sad day. I reiterate and repeat, Mr. President, I want to have a verification of the roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

All right, Senator. Senator Hall, we will certainly...if you make that motion, it will be honored. Senator Lenke.

SENATOR LENKE:

I'd just like to remind this Body, two years ago when we gave the increase for public aid I said we couldn't afford it and it's going to hurt the public aid recipients on Medicaid and Medicare. And I think it's a crime and a sin to pump people's minds up and telling them you're going to give them something, and after you pass a law, then you take it away from them with another law, I think that's a crime. And maybe a lot of times I've been criticized because I was against the public aid increase, but I told you then we couldn't afford it; and I have never been against sick people like this is, this is against people that are sick and hospitalized, these aren't people that go to the doctor. And I heard all my leaders say, we're passing this to help the sick and the Medicaid and the needy and we're going to help people, we're going to help them. Now what we're doing to them on the...not...the last day of Session, we're taking care of them, we're taking care of the poor and the sick because we're taking away from them. And yes, and how are we taking away from them? You're passing the burden again on my people that work everyday; pay for hospitalization insurance; pay their taxes, this is just another tax because what's going to happen is, if the hospitals don't get the money from

the State, they're going to get it from my people who go to the hospital and pay their hospital and doctor bills with cash. That's how we pay it, we buy our insurance and we take care of our needs. But now I'm going to stand here and now I'm going to look around at all the great leaders in the Democratic Party that said, we're going to help the sick and the needy and now we're going to vote to take it away. It's a terrible crime to build up people's hopes and then knock them down. You can't expect people to get out of the gutter and pull themselves up by their bootstraps if you keep doing this to them. What's going to happen is very simple and what happened in all of Europe. What's going to happen? You're pumping their minds and you're blowing them, and the people are rioting and causing trouble because this is what politicians do. I think it's a terrible thing and I'm going to vote No.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise reluctantly and unfortunately in favor of the Conference Committee report on House Bill 2058. And as I indicated the other night, we were confronted with an untenable choice, a doomsday budget, as proposed in March to this Assembly, which would have resulted in absolute tragedy, in my judgment, because the very people that we are talking about in this bill were to receive nothing, absolutely nothing. And we struggled for weeks to try to put together a budget given the constraints that the House had imposed upon us in terms of the revenue they would agree to make available, and so we struck a compromise, not a happy one, but a compromise. I was prepared, as was Senator Philip and others, to stand for a larger increase in the base revenue to meet these needs. The fact is, we live in the real world and

we couldn't pass it, and so we had to make some difficult choices and this is just one. It's not over yet, the fiscal year has just barely begun, and we are confronted already with a choice because we can't leave here without the approval of this legislation. It does two things; it says, "There shall be no rate increase during Calendar Year 1983 and for the first six months of Calendar Year 1984 with respect to the nursing homes," and that's unfortunate. They suffered under the last cutback and we restored that money by virtue of the new budget adopted; but they're not going to get a rate increase, one that they deserve, admittedly, but they're not going to get it. And secondly, we take the paragraph that says, and listen, please, "Payments may", not shall, "may...also be made to provide persons receiving basic maintenance support." You know who those folks are? Those are the hundred and thirty thousand unfortunate people in this State who have been receiving one hundred and forty-four dollars a month and they went to court because we had to reduce it, remember? From one sixty-two to one forty-four. And when the March doomsday budget came out, it was unfortunately announced that there was going to be not nickel one in the budget for that purpose and those hundred and thirty thousand people were to receive nothing. And we fought on this Floor, Senator Hall, you and I, shoulder to shoulder, and did not allow that bill to pass. We said, as a matter of public policy in this State we're going to take care of at least a basic subsistence level and we will be able to provide, given the additional revenue, continue the program at a hundred and forty-four dollars a month. Those are the people that are affected. And it says,..."Payments may be made, with necessary treatment, care and supplies required because of illness and disability," and thank God we say that. We do make those payments. And what it says is, unfortunately, because of the spiralling cost of hospitals, the department

simply can't afford any more than five hundred dollars per inpatient hospital admission, that's as much as we can afford. If we don't do this, it's going to cost thirty-two million dollars for this fiscal year, and it's thirty-two million dollars, unfortunately, that we simply don't have. And if we walk away without doing this, where do you think that thirty-two million is going to come from? It's going to come from this same paragraph, I suggest, unfortunately. And instead of receiving a hundred and forty-four dollars a month in that general assistance check, it's going to be prorated down; that's what I'd do, it's the only money that's available. We've got all the other money in the public aid budget allotted for some specific purpose, so we'll take it maybe from elementary and secondary education, more likely we'll take it from this item. And so instead of receiving a hundred and forty-four dollars a month, maybe they'll only get eighty-five. You try to rent any place in Illinois for eighty-five dollars a month. What we are saying here is that we are meeting our obligations as best we can and nobody likes to do this. We can take another look at this but we can't walk away tonight with a seventy million dollar hole in a budget that we just presented to the Governor, 'cause sure...we'll be back here, next month, the month after because we have to find that money, once we make the commitment we have to find it. What we are saying is, hold back, we understand the problem, we just don't happen to have seventy million dollars, unfortunately. Senator Hall, we are not abandoning these people. They are deserving of our care and compassion and we have provided for them, and you and I provided some of that hard thirty vote to get the additional revenue to do this. We can't do as much as we wanted, but we sure did better than what the alternative was. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

SB 384
Con Committee
Report

Senator Schaffer, do you wish to close?

SENATOR SCHAPPER:

Roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the second Conference...second Conference Committee report to House Bill 2058. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are 11, 2 voting Present. The Senate does adopt the second Conference Committee report to House Bill 2058 and the bill having received the affirmative vote of three-fifths of the members elected is declared effective immediately upon its becoming a law. Senator Rock moves to reconsider the vote by which that bill passed. Senator Schaffer moves to lay that motion on the Table. On the motion to Table, those in favor say Aye. Opposed Nay. The Ayes have it. The motion to reconsider is Tabled. We are on the order of...if I might have your attention, we will go to Supplemental 1, with leave of the Body. Is there leave? Leave is granted to...we will go to the Order of Motions in Writing. Is there leave? Leave is granted. Motions in writing.

SECRETARY:

Motion in writing. Having voted on the prevailing side, I move to reconsider the vote by which the first Conference Committee on Senate Bill 384 failed. Signed, Senator Philip.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Philip is recognized for a motion.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, this is the Executive budget and the budget on legislative commissions; and as you know, we've had a problem with that legislative commission budget, it's very

heavy, very fat. Senator Rock,...President, Speaker Madigan and Representative Daniels and myself have worked out what I think a good compromise. As you know, the other House has adjourned, has gone home, it's very difficult to do anything with this...second Conference Committee report. What we have agreed to is...

PRESIDING OFFICER: (SENATOR BRUCE)

...Senator Philip, so that we keep our record right, can...can we get the motion to reconsider out of the way first? All right. The motion is to reconsider the vote by which the Senate did not adopt the first Conference Committee report. On the motion, discussion? Those in favor say Aye. Opposed Nay. The Ayes have it and the motion is reconsidered and the matter is before the Senate. Senator Philip.

SENATOR PHILIP:

Thank you. The compromise that we have worked out and we have worked out with the Governor, the four of us have spoken to the Governor, is to pass this appropriation at this level. He has agreed to amend down those commissions to the 1983 appropriation. Now he has told all four of us that, we have agreed, it takes all the fat out of those commissions. He's also agreed to only allow two new commissions. The Scott Commission and the Robert Memorial Commission, both memorial commissions. That's the only two commissions that he will sign. I think it's a reasonable compromise and I hope that we'll all vote Aye and adopt this second Conference Committee report.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Keats.

SENATOR KEATS:

I was just going to say, very briefly, I intend to vote No and I don't really care whether the thing goes down. As you may remember earlier I had some uncomplimentary things to say about our leadership. I have been reliably informed by

our House members that the only guys who did stand up on this bill were our leaders and I probably owe them an apology; but I did want to throw one thing, and this is as much to the press as to any member here, some of you might ask Speaker Madigan why his chief of staff sat in his office and called in executive directors from commissions and said, "You put one of my patronage hacks on your payroll or I'm cutting your budget." And when you look at Speaker Madigan's methods of cutting and increasing, it had to do with how many new hacks they were willing to hire. The press might ask him that. For a man who says he'd like to be Governor, you should not demean the process to a level where you have to battle it out commission by commission, petty hack by petty hack. There comes a day when you have to rise above some of that. So I intend to vote No, I don't care if it goes down, but I think we all ought to consider that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar, the Chair apologizes. Did you want to explain this before we got on the matter? Senator Mahar.

SENATOR MAHAR:

Thank you. I think at this hour the best thing we could ask for is a roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

Okay, I...I...the Chair does apologize, Senator, I did not intend not to recognize you. Further discussion? Senator Lechowicz.

SENATOR LECHOWICZ:

I...thank you, Mr. President. I appreciate the Minority Leader's position and the commitment that the Governor is going to amendatorily veto all commissions back to the 1983 funding level and only two new commissions will be created. I would also ask that the Governor, and I'm sure he's listening, would also use his amendatory veto pen and review the commissions very carefully and succinctly, and where

there is fat to also use that amendatory veto there. And for that reason, I would encourage the membership of this Body to pass this Conference Committee report with that understanding.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip, had you not concluded? Senator Philip.

SENATOR PHILIP:

Yes, I...I would like to make this comment, Senator Lechowicz. I...I think this is the first time in the history of the General Assembly that if the Governor does what he says he's going to do, that we haven't increased the budget of the legislative commissions, that's a first. Secondly, I think it's the first time we've only agreed to two new commissions and both of them are memorial commissions, I think that is a first. The other thing I'd like to say, in this appropriation some of the budgets have been cut below 1983, below 1983. The four leaders have agreed in...in the fall Session to review those cuts and think about restoring some of those cuts.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I know it's late and I...I just want to make one comment for the record as I did on the School Aid Formula. We hear a lot of things on the commissions and if you'll all recall, the commissions were first formed when the State of Illinois was formed to, in fact, work in the absence of the General Assembly when they were meeting for thirty days out of every two years and sometimes less than that. They have grown considerably even though we have grown in the amount of days we have been down here. But the commissions are created by the General Assembly; and I think for those who are dissatisfied, we ought not to wait till the last day of the year. You can put any bill in and there were some in this

year to repeal any commission that's on the books and the time for doing that is not the last day of June but way back in January or February when you introduced those bills.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Rock.

END OF REEL

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I am happy to report that with this latest agreement that was effected between the leaders and the Governor, we will, in fact, be sending to him a budget substantially under the available revenue in accordance with that constitutional provision. We have...worked long and hard in the past couple of days since the passage of the income tax to allocate those monies or those revenues prospectively to meet the needs of the people of our State, and I am proud of everyone who did so. This bill, I ask your support. It contains the appropriation for all the Executive and Legislative Branches of Government and the Judicial Branch. It is, obviously, absolutely essential for the operation of government; we must have it; this is the final bill and I would urge an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the Senate adopt the first Conference Committee report to Senate Bill 384. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 45, the Nays are 6, 2 voting Present. The Senate does adopt the first Conference Committee report to Senate Bill 384 and the bill having received the affirmative votes of three-fifths of the members elected is effective immediately upon its becoming a law.

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I'd just like to compliment Senator Rock and the leadership. We worked long and hard, and particularly thank our staff and secretaries who have done an outstanding job, this has been a very, very difficult year. I wish you all a great summer and we have a party at the Executive Mansion tonight. Everybody is invited, so come over and let's have some fun.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you. I just wanted to echo, also, my thanks to the staff, particularly in the last couple of days who were vastly overworked and vastly underpaid and to all the members, thank you, very much. Have a safe and happy summer, we'll see you in October, if not sooner.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Vadalabene.

SENATOR VADALABENE:

Yes, to everybody, I want to thank them for the successful Session that I had and especially the new romance I have with Bev...goodnight, Bev.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

Goodnight, Sam.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock moves that the Senate stand adjourned until Wednesday, October the 5th, at the hour of noon. On the motion to adjourn, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned until October the 5th, at noon.