

85TH GENERAL ASSEMBLY

REGULAR SESSION

April 23, 1987

PRESIDENT:

The Senate will please come to order. Will the members be at their desks and will our guests in the gallery kindly rise. Prayer this afternoon by the Reverend Orville Salzman, Third United Methodist Church, Decatur, Illinois. Reverend. REVEREND ORVILLE SALZMAN:

(Prayer given by Reverend Salzman)

PRESIDENT:

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

SENATOR HALL:

Mr. President, I move that reading and approval of the Journals of Thursday, April 9th; Friday, April 10th; Tuesday, April 21st and Wednesday, April 22nd, in the year 1987, be postponed pending arrival of the printed Journals.

PRESIDENT:

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

SECRETARY:

Senator Jerome J. Joyce, chairman of the Committee on Executive, reports Senate Bills 230, 239, 427, 440, 491, 504, 532, 534, 582, 650, 780, 827 and 904 Do Pass.

And Senate Bills 1, 251, 383, 432, 505 and 708 Do Pass as Amended.

And Senate Bills...Senate Bill 145 Do Pass and be rereferred to the Committee on Insurance, Pensions and Licensed Activities.

And Senate Bill 503 Do Pass and be rereferred to the Committee on Revenue.

And Senate Resolution 142 do adopt.

Senator Poshard, chairman of the Committee on Labor and Commerce, reports Senate Bills Noed. 170, 388, 408, 506, 576,

713, 834, 903, 1215 and 1422 Do Pass.

Senator Holmberg, chairman of the Committee on Local Government, reports Senate Bills Noed. 152, 350, 356, 359, 365, 370, 382, 390, 404, 405, 419, 430, 445, 457, 461, 516, 591, 643, 682 and 684 Do Pass.

And Senate Bills Noed. 586 and 667 Do Pass as Amended.

Senator Netsch, chairman of the Committee on Revenue, reports Senate Bills 41, 280 and 473 Do Pass.

Senate Bills 76 Do Pass as Amended.

And Senate Bill 433 Do Not Pass as Amended.

PRESIDENT:

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 passed the bills of the following titles, in the passage of which I am instructed to ask the concurrence of the Senate, to-wit:

House Bills 91, 231, 268, 300, 316, 390 and 409. Passed the House April 22, 1987.

PRESIDENT:

All right. With leave of the Body, we'll move to the Order...page 10 on the Calendar, House bills 1st reading. House bills 1st reading, Madam Secretary. If any member has a House bill they wish to pick up, if they've been contacted by the House sponsor, please feel free to let the Secretary know.

SECRETARY:

House Bill 47 offered by Senator Donahue.

(Secretary reads title of bill)

Senate Bill...House Bill 61 offered by Senator Holmberg.

(Secretary reads title of bill)

House Bill 102 offered by Senator DeAngelis.

(Secretary reads title of bill)

...House Bill 216 offered by Senator Weaver.

(Secretary reads title of bill)

House Bill 234 offered by Senator...Zito.

(Secretary reads title of bill)

House Bill 420 offered by Senator O'Daniel.

(Secretary reads title of bill)

House Bill 339 offered by Senator Thomas Dunn.

(Secretary reads title of bill)

House Bill 90 offered by Senator Vadalabene.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDENT:

Committee on Assignment. House bills 1st reading.

SECRETARY:

House Bill 228 offered by Senator Welch.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Committee on Assignment. Resolutions.

SECRETARY:

Senate Resolution 193 offered by Senator Savickas.

Senate Resolution 194 offered by Senator Welch.

Senate Resolution 195 offered by Senators Topinka and...and others...all Senators and they're all congratulatory.

PRESIDENT:

Consent Calendar. Senator Vadalabene, for what purpose do you arise, sir?

SENATOR VADALABENE:

Yes...yes, thank you, Mr. President. I would be...have leave...seek leave to be added as a cosponsor of Senate Bill 1304.

PRESIDENT:

All right. The Senator seeks leave of the Body to be

added as the cosponsor on Senate Bill 1304. Without objection, leave is granted. Message from the Governor.

SECRETARY:

A Message from the Governor by...Zack Stamp, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message.

To the Honorable members of the Senate, of the 85th General Assembly, I have nominated and appointed the following named person to the office enumerated below to...respectfully ask concurrence in and confirmation of these...appointments by your Honorable Body.

PRESIDENT:

Committee on Executive Appointments. Senator Woodyard, for what purpose do you arise, sir?

SENATOR WOODYARD:

Thank you, Mr. President. With leave of the Body and permission of the sponsor, I would like to be added as a hyphenated sponsor on Senate Bill 235.

PRESIDENT:

All right. The gentleman seeks leave to be added as the hyphenated cosponsor on Senate Bill 235, 2-3-5. Without objection, leave is granted. Senator Dudycz, for what purpose do you arise, sir?

SENATOR DUDYCZ:

Thank you, Mr. President. I ask leave of the Body to...to be added as a cosponsor to Senate Bills 247 and 618.

PRESIDENT:

All right. The gentleman seeks leave of the Body to be added as a cosponsor on Senate Bills 247 and 618. Without objection, leave is granted. All right. If I can have the attention of the membership, there is a memorandum that's...has been, I hope, distributed to all and I just call your attention. It is a supplemental schedule of sorts.

Obviously, with the...has this been distributed? It is now being distributed even as I speak, I am told. The idea is that the final two weeks we will commence Session daily at one o'clock as opposed to noon, so give the committees that extra time and we suggest that the committees may start earlier than ten o'clock, start at eight-thirty or nine and the committees that are scheduled in the afternoon will be encouraged to move right through the dinner hour in order to afford every member the opportunity to have his bill be heard. Senator Netsch on the Floor? Yes, Senator Netsch is on the Floor. Senator Philip and I have discussed and have decided that on May the 4th, which is a Monday, the Monday of the week...deadline week, that we will meet as a Committee of the Whole to discuss...with Senator Netsch presiding, to discuss the Governor's proposed tax package so that this Chamber can make at least a preliminary determination as to what direction we're going to assume. That will be at noon on Monday, May 4th. It is a regularly scheduled Session day, but in order to afford the committees that have a pretty heavy workload, an additional meeting of Appropriations I and Insurance will meet also on May the 4th. In addition to their regularly scheduled meetings, they will meet also again on May 4th immediately after the Committee of the Whole. So I'd ask the members to take a look at the memorandum and make some notes accordingly. Tomorrow we will meet...the committees meet at nine o'clock, we will meet in Session at eleven so that the members can make plans to be on their way back to their district certainly by noon to afford an opportunity to be in the district office tomorrow afternoon. Senator Netsch, for what purpose do you arise?

SENATOR NETSCH:

Thank you, Mr. President. In connection with the Committee of the Whole on Monday, May 4th, I would just like to request that if there are members here or...or some who

have...or spokesmen who want to...to comment on some part of the general tax situation to let me know, because I'm going to try to draw up a list of those who will be heard beforehand so that we have some control over the...the timing of it and I would appreciate any requests for the opportunity to be heard. One or two individual members have indicated that to me and some outsiders as well. And we'll try to organize it as best we can. Thank you.

PRESIDENT:

All right. Senator DeAngelis, for what purpose do you arise, sir? You are seeking recognition?

SENATOR DeANGELIS:

Oh, yes, thank you, Mr. President. I would like to have Senator Berman be shown as a hyphenated sponsor on my bill, 702.

PRESIDENT:

All right. The gentleman seeks leave to add Senator Berman as the hyphenated cosponsor on Senate Bill 702. Without objection, leave is granted. All right, ladies and gentlemen, we will now proceed on the Calendar, on the Order of Senate Bills 2nd Reading with the understanding that we will conclude our business today at two o'clock so that the committees can meet at their appointed time and place. So we'll go through 2nd reading as far as we go right down the list and then we will reconvene at eleven o'clock tomorrow morning with the understanding that we will adjourn by noon, so that the members can be back in their district office and handle their constituent business tomorrow afternoon. All right. Top of page 2, Senator Topinka. On the Order of Senate Bills 2nd Reading, Madam Secretary, top of page 2, Senate Bill 3. Read the bill, please.

SECRETARY:

Senate Bill 3.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. On the Order of...page 2, on the Order of Senate Bills 2nd Reading, 37, Senator Davidson. On the Order of Senate Bills 2nd Reading, Senate Bill 37. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 37.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Davidson offers Floor Amendment No. 1.

PRESIDENT:

Senator Davidson on Amendment No. 1.

SENATOR DAVIDSON:

Mr. President and members of the Senate, this amendment is technical amendment and clears up some points which was brought up in committee and by putting the words "or conservation" in after the words "recreation" and also clarifies the definition of land, and to help public health be able to do something about campgrounds, we put the words "campground license and recreation area." They apparently had some problem in public health on a health problem on campgrounds about water and sewer and this gives them an opportunity to do that. I'd move the adoption of the amendment.

PRESIDENT:

All right. Senator Davidson...Senator Davidson has moved the adoption of Amendment No. 1 to Senate Bill 37. Any

discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further Floor amendments.

PRESIDENT:

3rd reading. Senator Watson, 54. On the Order of Senate Bills 2nd Reading, Senate Bill 54. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 54.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator Watson offers one Floor amendment.

PRESIDENT:

Senator Watson on Amendment No. 1.

SENATOR WATSON:

Thank you, Mr. President. First of all, I'd just like to say, I do know what the score of the Cub-Cardinal game was yesterday and the day before, nobody needs to come by and tell me anything more about that. You don't have to...I don't have to be told anymore about that. The amendment...thank you, Mr. President. The amendment simply brings the language in...and complies with the Department of Public Health and I move for its adoption.

PRESIDENT:

All right. Senator Watson has moved the adoption of Amendment No. 1 to Senate Bill 54. All in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further...Floor amendments.

PRESIDENT:

3rd reading. Senator Keats, 65. Senator Topinka, 71. Senator...all right. On the Order of Senate Bills 2nd Reading, Senate Bill 71. Read the bill, Mr. Secretary.

SECRETARY:

Senate Bill 71.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Revenue offers two committee amendments.

PRESIDENT:

Senator Topinka on Committee Amendment No. 1.

SENATOR TOPINKA:

Yes. Committee Amendment No. 1 restructured the formula so that it would equitably work out in the allocations of money. And then Senate Amendment No. 2 made the date effective so that the formula could all come into place at the same time and money would be disbursed at the same time.

PRESIDENT:

All right. Senator Topinka has moved the adoption of Committee Amendment No. 1 to Senate Bill 71. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

Committee Amendment No. 2.

PRESIDENT:

Senator Topinka on Committee Amendment No. 2.

SENATOR TOPINKA:

Yes, Mr. President, I had mentioned that earlier, but it is just an effective date so that it moves on from that point.

PRESIDENT:

Senator Topinka moves the adoption of Committee Amendment

AB 95  
2nd Reading

No. 2 to Senate Bill 71. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

No Floor amendments.

PRESIDENT:

3rd reading. 73, Senator Geo-Karis. 77, Senator Jacobs. 78, Senator D'Arco. 95, Senator Maitland. On the Order of Senate Bills 2nd Reading is Senate Bill 95. Read the bill, Madam Secretary.

SECRETARY:

Senate Bill 95.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Energy and Environment offers one committee amendment.

PRESIDENT:

Senator Maitland on Committee Amendment No. 1.

SENATOR MAITLAND:

Thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. Committee Amendment No. 1 is simply a technical amendment. It changes the word "organization" to..."organizations" and I would move for its adoption.

PRESIDENT:

All right. Senator Maitland has moved the adoption of Committee Amendment No. 1 to Senate Bill 95. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Are there further amendments?

SECRETARY:

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

SECRETARY:

Senator...Luft offers Amendment No. 2.

PRESIDENT:

Senator Luft on Amendment No. 2.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 2 deletes that provision relating to funding by State and Federal funds and simply requires the utilities to absorb all costs of the conservation and weatherization programs.

PRESIDENT:

Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 95. Discussion? Senator Keats.

SENATOR KEATS:

I just would like it to quiet down so the membership hears what this amendment does and we can go from there. Could we just slow it down until everyone hears what this amendment is?

PRESIDENT:

The gentleman's request is in order. Will the Senate please come to order. I'd ask the members to please be in their seats. Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 95. Discussion? Senator Maitland. Oh, I'm sorry, Senator Keats, did you wish to...

SENATOR KEATS:

I...I was just going to say if he could reexplain, but Senator Maitland will take care of that so that's all I was going to say.

PRESIDENT:

All right. Senator Luft, there's been a request that you reexplain...or explain again the amendment, if you please.

SENATOR LUFT:

Thank you, Mr. President. Amendment No. 2 deletes the

provisions relating to funding by State and Federal funds, and that would require the utilities to absorb all costs of the conservation and weatherization programs.

PRESIDENT:

Senator Maitland.

SENATOR MAITLAND:

...thank you, very much, Mr. President, Ladies and Gentlemen of the Senate. To one of my cosponsors, I have to stand in opposition to the amendment. Obviously, this puts the bill back in...in at least in part its original posture and that was our reason for opposition obviously. We believe very strongly, those of us who support this...this change, that it's necessary for a program like this to exist. In the original bill that we passed two years ago, it passed out of this Chamber, it was signed by the Governor and we all believe that the weatherization program is a laudable effort and it needs to be taken care of. This amendment, however, puts this on the backs of the ratepayers in this State, that's the business and the private sector and that's not where a program like this should be. I respectfully, Mr. President, urge everyone to give this resolution...or this amendment a sounding defeat.

PRESIDENT:

Any further discussion on Amendment No. 2? Senator Luft, do you wish to close?

SENATOR LUFT:

Yes, and I would hope the members would listen, because the Senator that just spoke is in error. This does not put it on the ratepayers, it takes it off the back of the...ratepayers, because this amendment prohibits the utility companies from passing it through. And the reason that I did this and I can give you a good explanation is the utility in my area for the last two years has achieved a sixty-three million dollars in retained earnings. They have so much

money that they bought a telephone company, they bought an engineering firm, they're investing in companies all over the United States, not in Illinois and not in their service region; and if they can afford to take sixty-three million dollars in excess...earnings from the ratepayers, then I don't see how in this program they can pass it through to the ratepayers again. And that's what I'm trying to eliminate. If they got that much money and they can go throughout this country investing sixty-three million plus dollars, then why can't they help the poor people in the State of Illinois and in their service area? I am simply trying to protect the ratepayer with this and make the utility own up to their responsibility, and I would ask for the adoption of the amendment.

PRESIDENT:

You want a roll call? All right. Senator Luft has moved the adoption of Amendment No. 2 to Senate Bill 95. A roll call has been requested. Those in favor of the amendment will vote Aye. 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 25 Ayes, 29 Nays. The amendment fails. Further amendments?

SECRETARY:

Senator D'Arco offers Amendment No. 3.

PRESIDENT:

Senator D'Arco on Amendment No. 3.

SENATOR D'ARCO:

Thank you, Mr. President. Senator Luft's approach to the problem I...I admit was a little drastic because that would saddle the utilities with paying a lot of money for weatherization programs throughout the State of Illinois and that's not our intent. We don't want the utilities to pay a lot of money for weatherization, but we feel that they do

have a responsibility to pay some minor, insignificant cost compared to their retained earnings for weatherization programs. Now, my amendment says that, "A public utility's cost for implementing a four-year program to this section shall not exceed 1.25 percent of their total operating revenues for 1985 and .2 percent for an electric utility." Now, let me tell you something, for CIPS, and I know a lot of people are interested in CIPS, that would amount to no more than five hundred thousand dollars a year. Now all these utilities throughout the State of Illinois you have to understand something and there's articles in your press summary that indicate because of the change in the Federal tax laws and the lowering of the corporate income tax rate, these utilities have a tremendous windfall of profits in retained earnings for 1987, and to say to them that you have this minor impact of five hundred thousand for a major utility like CIPS, five hundred thousand dollars a year, when their retained earnings are two hundred million for 1965, that's not asking a lot, ladies and gentlemen, that's asking very little to help provide energy assistance for the people that need it most in the State of Illinois. Remember, John, this is over a four-year period not a one-year period. The amount calculated that they have to pay is over a four-year period. So it's barely significance in terms of what these utilities' profits are showing. Some...we have...somebody has to take the bull by the horns and say, you do owe the people something, not a lot, but you do owe them something and that's what this amendment would do.

PRESIDENT:

All right. Senator D'Arco has moved the adoption of Amendment No. 3 to Senate Bill 95. Discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. Senator D'Arco and

I have discussed this issue at length over the past few weeks. I had promised him...and he was the original sponsor of the bill and I had promised him in committee that we would attempt to resolve any differences that we might have on this bill prior to calling the bill and moving it to 3rd reading. And we have discussed this issue at length and...and have not been able to agree on...on...on a compromise. I...I...I'm sorry that that...has taken place. I respectfully then rise in opposition to...to this amendment. It does...does limit, obviously, the...the utilities' exposure. It does place however what I consider to be an inordinate possible cost on the business and industry in this State. Those of you who were in the committee listened to John Deere, for example, testify as to the cost of this weatherization program. Again, they were not opposed to the program but felt that it should be paid for through monies that are dedicated for this purpose. This would have a substantial then cost upon some of the...state's major industry, Caterpillar, we believe the cost would be in excess of two hundred and sixty-five thousand dollars, to Staley about forty-eight thousand dollars, John Deere to sixty-three thousand, Olin, fifty-eight thousand dollars and the list goes on and on, all of the time when these businesses are having a very difficult time in the State even surviving. And, therefore, Mr. President, I respectfully rise in opposition to Amendment No. 3.

PRESIDENT:

All right. The question is the adoption of Amendment No. 3 to Senate Bill 95. Further discussion? Senator Jacobs.

SENATOR JACOBS:

I also rise in opposition to the amendment. We have a situation...it would be very difficult for me to go back home to a utility company that just reduced their rates by seven percent and tell them that I am going to reduce their reduction to maybe four or five percent. I can't do that, I'm in

opposition to the amendment and respectfully so.

PRESIDENT:

Further discussion? Senator Poshard.

SENATOR POSHARD:

Yes, thank you, Mr. President. Will the sponsor of the amendment take questions?

PRESIDENT:

The sponsor indicates he will yield, Senator Poshard.

SENATOR POSHARD:

Senator D'Arco,...

PRESIDENT:

Senator D'Arco, a question being directed at you sir.

SENATOR POSHARD:

Could you tell the Body, first of all, how the conservation and weatherization programs are being paid for? What the intent of the legislation that we passed last year in regard to the stripper well funds, how is that being implemented?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Well, DCCA is implementing the program through procedures that they already have in place because of the distribution of IHEP funds from the Federal Government. So DCCA is in place to allow the grants to low income families to take place.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

So then we have literally what is going to amount to eventually hundreds of millions of dollars that the State is going to receive from stripper well overcharged funds which are going to pay for the great substantial portion of these weatherization programs. Is that right?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

You know, what...you want me to say yes? All right, I'll say yes.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

...well, let me ask you something. Do utility companies benefit from conservation and weatherization programs? Does it help them at all?

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Yes.

PRESIDENT:

Senator Poshard.

SENATOR POSHARD:

Wait a minute, let's not make light, this is very serious. If we are gathering in this State hundreds of millions of dollars that are going toward the payment for this weatherization program for low income people and if at the same time that benefits the utility companies...the utility companies in my area spend a lot of money advertising, encouraging people to enact conservation efforts in their homes, must benefit them if we conserve energy if our homes are weatherized. Now, Senator D'Arco has said that the great portion of this program is going to be paid by the stripper well overcharge monies. The utility companies are only going to have to bear a very small part, if any, we don't even know that yet, of this entire conservation weatherization program. This is a monopoly enterprise...a monopoly enterprise that the State through the stripper well overcharge monies is going to spend millions of dollars helping that monopoly

enterprise to increase their profits through our developing a conservation and weatherization program to assist the low income people of this State and, yet, this monopoly enterprise comes back and says to us, we will not afford...we will not spend one cent of our own money; even though we're going to be making additional profits out of this program and the implementation of this program, we will not spend one cent of our own money, we want it all. I say, Ladies and Gentlemen of this Senate, that that's wrong. That is wrong and we should vote for this amendment because it's fair and it's just, and we cannot forever assume just because of business or industry has its hand out that we should be helping them time after time after time. They also have a responsibility for the welfare of the people of this State. It is not simply a give-me, give-me, give-me situation. Please support this amendment, it's just, it's fair. Thank... (machine cut-off)...

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President. I apologize for rising the second time, but I must comment on...on the most recent speaker's thoughts on this amendment. You know, I was a part of a committee that...that rewrote the Public Utilities Act a couple of years ago, worked very hard on that, and we tried to tighten up I think some of the abuses that...that all of us felt were taking place with the Commerce Commission. Yes, you are right, Senator Poshard, it is a monopoly and that's why we have a Commerce Commission. Please don't stand before this Body and tell anyone that rates aren't going to go up, if we just pass this on one way or another to the public utilities. It doesn't work that way, the system doesn't work that way and let's...we're trying to reduce utility rates in this State not raise them, and that's not going to happen

with an amendment like this. I still urge opposition.

PRESIDENT:

Further discussion? Senator Jacobs.

SENATOR JACOBS:

I also would like to speak for the second time and I would concur...I'm not sure if there's ever such a way as to say, "their money." I think their money is always the ratepayers, they're the ones that give the utilities their money. However, Senator D'Arco has indicated to me that he would be able to...be willing to work with this in the House to where it would not affect my area and that's my point, that's the area that...that I am to represent. Senator D'Arco has not lied to me in the past. I would be willing to...at least allow it to go to that level and we can always take it back from there.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President and to my good friend, Senator Jacobs and my neighbor, let's not be so easily swayed by promises of what's going to happen in the House. The...I'd like to make one point and I guess, first of all, I'd like to ask the sponsor if he knows how much affect this will have on Commonwealth Edison?

PRESIDENT:

Senator...

SENATOR SCHUNEMAN:

...what will the cost be to Commonwealth Edison?

PRESIDENT:

...Senator D'Arco indicates he will yield. Senator D'Arco.

SENATOR D'ARCO:

I have...I have the figures for Commonwealth Edison, you're going to love this one. Commonwealth Edison's

retained earnings in 1985 were five billion dollars. How do you like that? Is that a lot? Is that enough? Listen to this. It's going to cost Commonwealth Edison two million five hundred thousand dollars a year over four years with...retained earnings of five billion dollars, billion, billion.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, with all due respect to the sponsor, I...I would suggest that we all do our own research on the financial statement of utility companies, but I have in my district Commonwealth Edison's largest single customer, Northwestern Steel and Wire, it's a struggling steel company who a few years ago had zero employment and now is back up to about two thousand from a high years ago of almost five thousand. And so it isn't only the...the small ratepayer that is going to feel the impact of bills like this, it's also a company like Northwestern Steel and Wire. And I suggest to you that what we're doing here or what you're suggesting we do to John Deere to Northwestern Steel and Wire and to some of the other major employers in this State is a vote against jobs in Illinois. And the Lord knows that places like Whiteside County and Rock Island County in Illinois don't need anybody to abuse jobs, and so I hope you'll bear that in mind when you vote on this.

PRESIDENT:

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President. There's one issue that has not been discussed thus far. Senator Maitland presented a bill to committee, the bill was argued rather strongly in committee, it passed not unanimously in committee, and I do believe he has the right to have his bill in the manner that he would

like it. I don't think the bill ought to be abused by amendments. If you don't like the way the bill is, then you have the right to vote No on 3rd reading, but I don't think you ought to try to sabotage the bill and put the sponsor in such a difficult position by adding an amendment that he can't accept and, therefore, would be unable to call the bill. So I would think that the issue is not so much whether you agree with the amendment or not, it's the right that the sponsor has; and if you don't like the bill, you're going to get another chance to vote on it, but at least have the decency to let the sponsor have the bill in the form that he would like it.

PRESIDENT:

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. It seems to me that we're getting some of these commitments a little bit mixed up, Senator DeAngelis, because if you recall when we passed the rewrite of the utility law a couple of years ago, an integral part of that package was this Act; in fact, we deliberately removed provisions which were usually referred to as the affordable budget provisions and...and the like from...Senate Bill 1021 because it was understood by all of the sponsors and a lot of others involved that this law...this bill would become part of that package and it passed on that basis. And it seems to me, although Senator Maitland has a perfect right to go back and say, we ought to rethink that, but it seems to me that it's his bill which really is a stepping back from an agreement that was made a time ago. I'm not that crazy about Senator D'Arco's amendment, but I think at least it is more consistent with the understanding that we had at that time and with what I also happen to think is sound and good public policy to keep that program at least with a modicum of support. I would make one other point, Senator Maitland, to you

and you've heard me on this one many times before. There...the real problem with...or Senator Schuneman, I guess it was, the real problem with business especially manufacturing business in this State is indeed the cost of energy and particularly electrical energy. This bill is not going to be adding significantly if at all to that cost. What has added is what we have tried to address time and time again in this General Assembly and that is what is really putting the pressure on the...expansion and development of businesses in this State. So I...I don't think it really behooves any of us to say that we ought to try to put all of the burden and all of the pressure on low income people, because somehow it is their program and the only program we've got for them that is driving jobs out of the State of Illinois, that is simply not true.

PRESIDENT:

Further discussion? Any further discussion? Senator D'Arco may close.

SENATOR D'ARCO:

Thank you, Mr. President. I want to make something perfectly clear. I am just as much concerned about the industrial user as you are, John, and I'm worried about plants paying high utility bills. And I don't want that to happen because I don't want plants closing down and people losing their jobs. I want to encourage economic growth in the State of Illinois just as much as you do. So I'm going to put a proviso in this bill and I want to say this to you, you indicated that you think this is an automatic pass-through and that the utilities with a simple filing before the ICC can raise their...rates and charge their industrial customers for the increase. I don't disagree with...I...I don't agree with that. What the bill provides is that there should be a ratemaking procedure and the amount of the increase could be included in the rate base, that's not even good enough. I'm

going to put a proviso in this bill that says they must pay the amount out of their retained earnings and they can't pass it on to their customers before the ICC or anywhere else. They must pay themselves, that's what's going to go into this bill and I want everybody to know that. This is a good bill. It puts some responsibility on the utilities to pay for a weatherization program in the...that in the long-run is going to benefit the utilities and its customers by creating jobs for people. That's what this is all about creating jobs for people in the long-run. This is a good amendment and I ask for its adoption.

PRESIDENT:

All right. Senator O'Arco has moved the adoption of Amendment No. 3 to Senate Bill 95. Those in favor of the amendment will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 27 Ayes, 29 Nays, 1 voting Present. Amendment No. 3 fails. Further amendments, Madam Secretary?

SECRETARY:

No further Floor amendments.

PRESIDENT:

3rd reading. The hour of two having arrived, Senator Philip, pursuant to our discussion, I think we ought to break and go to committee. We will come back at eleven o'clock tomorrow morning. Senator Hudson, for what purpose do you arise, sir?

SENATOR HUDSON:

Purpose of an introduction, Mr. President, if I may.

PRESIDENT:

State your point, sir...yes, sir.

SENATOR HUDSON:

In the President's Gallery we have with us some guests from Thompson Junior High School in Oswego, Illinois. These

are straight A history students, they're down here with their teacher, Tom Fletcher and Kay Wallace. They...he brings these people...these kids down every year...

PRESIDENT:

Will our guests in the gallery please stand and be recognized. Welcome to Springfield. Any announcements? Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I would like to call the attention to everyone who's on Appropriation II that we're going to start in Room 212 immediately. Would you please come so we can get out at a reasonable time. Thank you.

PRESIDENT:

All right. Appropriations II immediately in 212. Senator Smith.

SENATOR SMITH:

Thank you, Mr...thank you, Mr. President and members of the Senate. I merely want to remind the members of the Public Health, Welfare and Corrections Committee that we will convene immediately in Room 400. Our workload is heavy today and every member that have bills sponsors to get to the meeting as soon as possible so that we can dispatch with...

PRESIDENT:

All right. Public Health in Room 400 immediately. Appropriations II in Room 212. Elections over in A-1. Any further business? Further announcements? If not, Senator...Senator Collins.

SENATOR COLLINS:

Yes, the Transportation Committee will be meeting tomorrow morning at 9:00 a.m. and we're requesting...it is very critical that all of the members be present on time. We have a very heavy schedule, but we hope to complete all of the bills tomorrow morning and with your cooperation we can do that.

PRESIDENT:

All right. Any further announcements? Senator Dudycz, for what purpose do you arise, sir?

SENATOR DUDYCZ:

Thank you, Mr. President. I would just like to be added as a cosponsor to Senate Bill 63.

PRESIDENT:

Senate Bill 63, the gentleman seeks leave to be added as a cosponsor. Without objection, leave is granted. Senator Holmberg, for what purpose do you arise?

SENATOR HOLMBERG:

Thank you, Mr. President. I would like to be added as a hyphenated cosponsor to Senate Bill 687.

PRESIDENT:

The lady seeks leave to be added as a hyphenated cosponsor on Senate Bill 687. Without objection, leave is granted. Senator Newhouse, for what purpose do you arise, sir?

SENATOR NEWHOUSE:

I'd like to be added, Mr. President, as hyphenated cosponsor to...to Senate Bill 705, I have the sponsor's permission.

PRESIDENT:

All right. The gentleman seeks leave of the Body to be...added as the hyphenated cosponsor on Senate Bill 705. Without objection, leave is granted. Further announcements? If not, Senator Dunn moves that the Senate stand adjourned until Friday, April 24, eleven o'clock. Eleven o'clock, tomorrow morning, ladies and gentlemen. The Senate stands adjourned.

04/27/87  
15:04

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