

80th GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 8, 1977

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The hour of nine having arrived, the Senate will
3. come to order. Prayer by Monsignor John McGrath, St.
4. Agnes Church, Springfield, Illinois.

5. MONSIGNOR McGRATH:

6. (Prayer by Monsignor McGrath)

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Reading of the Journal. Senator Johns is recognized.

9. SENATOR JOHNS:

10. Good morning, Mr. President. I move that reading and
11. approval of the Journals of Wednesday, November the
12. 2nd, Thursday, November the 3rd, Friday, November the 4th
13. and Monday, November the 7th in the year 1977 be postponed
14. pending arrival of the printed Journals.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Heard the motion. Is there discussion? All in favor
17. say Aye. Opposed Nay. The Ayes have it. The motion
18. prevails. Is there leave to go to the Order of Resolutions?
19. Leave is granted. Resolutions.

20. SECRETARY:

21. Senate Resolution 248, offered by Senator Shapiro
22. and all Republican Senators. It's congratulatory.

23. Senate Resolution 249, offered by Senator Mitchler
24. and all Senators and it's congratulatory.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there permission that these two resolutions go on
27. the Resolution Consent Calendar? Leave is granted.
28. Does any Senator have a motion and Total Vetoes...Item Vetoes,
29. Item Reductions for Specific Recommendations for Change,
30. that he would like to have considered at this time?
31. Senator Knuppel, on Senate Bill 110 to accept,
32. is that controversial? Could we start with that one today?

33. SENATOR KNUPPEL:

1. I don't think it's controversial, no.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. That would start the day...Senator Philip on the
4. Floor? Senator Leonard and Senator Merlo. On Senate
5. Bill 526, Senator Merlo to accept the Specific Recommendations
6. might we be able to take that early on today? All right.
7. Senator Knuppel, do you wish to call?

8. SENATOR KNUPPEL:

9. You're rushing me a little bit but...

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. For what purpose...

12. SENATOR KNUPPEL:

13. This is one of the...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. ...Senator Hynes...

16. SENATOR KNUPPEL:

17. ...this is one of the gender bills we passed out of
18. here, the fifty some gender bills and the Governor made
19. some amendments in the bill and said with the acceptance
20. of those he would...he would sign the bill into law. These
21. are part of that fifty-two bill set that we carried through
22. here early.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. What...what...For what purpose Senator Hynes arise?
25. Senator Hynes.

26. SENATOR HYNES:

27. I was going to make a motion but if Senator Knuppel
28. is ready to procede I...I'll just hold it till he's finished.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The Secretary will read the motion.

31. SECRETARY:

32. I move to accept the Specific Recommendations of the
33. Governor as to Senate Bill 110 in the manner and form as

1. follows. Signed, Senator Knuppel.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Is there further discussion? Question is, shall the
4. Senate accept the Specific Recommendations of the Governor
5. as to Senate Bill...For what purpose Senator Rhoads arise?
6. Senator Rhoads.

7. SENATOR RHOADS:

8. This was described as a gender bill by Senator
9. Knuppel and yet the digest...we're on Senate Bill 110
10. correct?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. That is correct. Senator Knuppel.

13. SENATOR KNUPPEL:

14. Senate...the Senate Bill in its original condition
15. provided where it used to say "no elector or his wife" now
16. it says "no elector shall be deemed to have lost his or her
17. residence at cetera" and where it said "man" it was changed
18. to "person". Now that's all the bill did in its original
19. form. Now the...the veto says on page 1, line 1, delete
20. the words to amend Section 32. That's a technical change.
21. It also says on page 1 delete lines 6 through...6 through
22. 10. Now wait a minute. It says on line 1...on page 1,
23. line 2, delete the words "and 622 of." And then one Section
24. 7.14.2 is added to quote "the Election Code" unquote approved.
25. Now I had these all checked through by the staff and...and
26. at least they told me they were technical only in nature. That
27. the Governor's Amendatory Veto deletes two language changes
28. ...designed to remove sexual references in the Election Code.
29. and does not affect the new Section concerning delegate
30. selection. The correction of gender designation is contained
31. in House Bill 667 which the Governor signed and it says,
32. comments, "there's a technical error in the Governor's
33. amendatory language in the phrase the added and amended

1. Sections. At the beginning of Section 1 the words...and
2. amended are not necessary because the Amendatory Veto
3. deletes the amended sections leaving only a new section.
4. Well, I never got this here. It says there should be a
5. correction, so maybe I better take it out of the record.
6. I don't think that that correction was made in the staff
7. analysis here. All right. Just take it out of the record.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Take it out of the record. Senator Merlo, are you
10. ready to proceed on 526?

11. SENATOR MERLO:

12. Let's start with 520.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. What number...Senator Merlo.

15. SENATOR MERLO:

16. 421.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. For what purpose Senator Knuppel arise? Senator Knuppel.

19. SENATOR KNUPPEL:

20. I'm told now that the staff made the necessary correction
21. in the motion, so unless we're on something else, I would move
22. that we accept the Specific Changes in the Governor's Veto.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Well...we did take it out of the record. The Secretary
25. will read the motion as to Senate Bill 110. Is there leave
26. to go to the Order of Messages from the House? A Message
27. from the House.

28. SECRETARY:

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

30. Mr. President - I am directed to inform the Senate
31. that the House of Representatives passed bills with the follow-
32. ing titles in the passage of which I am instructed to ask
33. concurrence of the Senate to-wit: House Bills 2433, 2434,

1. 2464, 2467, 2468, 2471, 2472, 2473, 2475, 2474, 2476, 2478,
2. 2480, 2482 and 2484.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. We have leave to return to the Order of Specific
5. Recommendations for Change. Leave is granted. For what
6. purpose Senator Hynes arise?

7. SENATOR HYNES:

8. Mr. President, there are two Motions in Writing on the
9. Calendar, which were set yesterday and the sponsors were not
10. on the Floor and I would ask leave of the Body that they be
11. put over until tomorrow...

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there leave...

14. SENATOR HYNES:

15. ...Senator Bruce and Senator Davidson on Senate Bills
16. 152 and 997.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there leave to have those bills set over for
19. consideration until tomorrow? Leave is granted. On the
20. Order of Specific Recommendations for Change is Senate
21. Bill 110. Read the motion, Mr. Secretary.

22. SECRETARY:

23. I move to accept the Specific Recommendations of the
24. Governor as to Senate Bill 110 in the manner and form as
25. follows. Signed, Senator Knuppel.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. I'd like a favorable roll call.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there further debate? The question is, shall the
32. Senate accept the Specific...Recommendations of the Governor
33. as to Senate Bill 110 in the manner and form just stated by

1. Senator Knuppel. Those in favor vote Aye. Those opposed
2. vote Nay. The voting is open. Have all voted who wish?
3. Have all voted who wish? Have all voted who wish? Take
4. the record. On that question, the Ayes are 50, the Nays
5. are None. None Voting Present. The Specific Recommendations
6. of the Governor as to Senate Bill 110 having received the
7. required majority vote of Senators elected are declared
8. accepted. For what purpose Senator Vadalabene arise?
9. SENATOR VADALABENE:

10. ✓ Yes, thank you, Mr. President. I want to apologize
11. I know the decor of the Senate. I should have said Mr.
12. President. I yelled Bruce and I apologize.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Merlo on 526. On the Order of Specific
15. Recommendations for Changes. House...Senate Bill 280. Read
16. the motion, Mr. Secretary.

17. SECRETARY:

18. I move to accept the Specific Recommendations of the
19. Governor as to Senate Bill 280 in the manner and form as
20. follows. Signed, Senator Leonard.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Leonard is recognized.

23. SENATOR LEONARD:

24. Yes. I...this has to do with hunting, fishing and
25. camping licenses for the elderly and the provision has to
26. do with the enforcement. It would be a reciprocal agreement
27. between the State of Illinois and other states. And I am
28. told by the Governor's Office that it would be difficult
29. to...enforce the provision where we would let people from
30. other states who are over sixty-five come in and use our
31. camping facilities free if those states would let our
32. people who are sixty-five and older do it and I ask for
33. compliance and I will go along with the Amendatory Veto.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there further debate? The question is, shall the
3. Senate accept the Specific Recommendations of the Governor
4. as to Senate Bill 280 in the manner and form just stated
5. by Senator Leonard. Those in favor vote Aye. Those
6. opposed vote Nay. The voting is open. Senator Joyce,
7. would you be kind enough to...Have all voted who wish?
8. Have all voted who wish? Take the record. On that
9. question, the Ayes are 38, the Nays are 4. None Voting
10. Present. The Specific Recommendations of the Governor
11. as to Senate Bill 280 having received the required
12. majority vote of Senators elected are declared accepted.
13. Senate Bill 203. Read the motion, Mr. Secretary, please.
14. SECRETARY:

15. I move to accept the Specific Recommendations of the
16. Governor as to Senate Bill 203 in the manner and form as
17. follows. Signed, Senator Philip.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Philip.

20. SENATOR PHILIP:

21. Thank you, Mr. President. Unfortunately this was a
22. one word mistake done by the Legislative Reference Bureau.
23. It takes out the one word "reel" and I would recommend that
24. we do take the Recommendations of the Governor.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Is there further debate? Senator Rock.

27. SENATOR ROCK:

28. I...I hope we will next turn to Senator Kosinski's
29. order of business. Senator...Senator Philip and I have
30. some kind of a Gentlemen's Agreement on this one and I will
31. support him if he will support us.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further debate? The question is, shall the

1. Senate accept the Specific Recommendations of the Governor
2. as to Senate Bill 203 in the manner and form just stated by
3. Senator Philip. Those in favor vote Aye. Those opposed vote
4. Nay. The voting is open. Have all voted who wish? Have
5. all voted who wish? Take the record. On that question, the
6. Ayes are 46, the Nays are None. None Voting Present. Senate
7. ...the Specific Recommendations of the Governor as to Senate
8. Bill 203 having received the required majority vote of
9. Senators elected are declared accepted. Now Senator Merlo on
10. 421. (Machine cutoff)...Senator Merlo, I ^{have} to interrupt
11. you one other time. I understand that was an agreement to go
12. to Senator Kosinski's motion at this point. On Senate Bill
13. 964, Senator Kosinski. For what purpose Senator Vadalabene
14. arise?

15. SENATOR VADALABENE:

16. Yes, thank you, Mr. President. Would you when you
17. refer to a number of a bill would you refer to the page,
18. also, so that we...

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. All right. We are on the Order of Specific Recommendations
21. for Change on page 9. Senator Kosinski's bill would appear on
22. page 10. Senate Bill 964. Read the motion, Mr. Secretary, please.

23. SECRETARY:

24. Senate...Senate Bill...I move that Senate Bill 964 Do
25. Pass the Specific Recommendations of the Governor to the
26. contrary notwithstanding. Signed, Senator Kosinski.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Kosinski is recognized. May we have some order,
29. Gentlemen. Senator Kosinski.

30. SENATOR KOSINSKI:

31. Mr. President and fellow colleagues. Senate Bill 964
32. is the...is a bill for poll watchers. An amendment was put
33. on in the Conference Committee and then the Governor seemed to

1. want to cut this certain part of the bill out and I think
2. that by doing that he's practically, shoveling this bill
3. down the sewer and I...I believe that this bill is a good
4. bill and I think we can save it by we all getting together.
5. The existing law provides two means of abolishing a county
6. board of election commissioners. First, by ordinance passed
7. by a county board in the county where the board of election
8. commissioners is established and by an ordinance of the county
9. board and by the vote of the electors following submission
10. of a petition for abandonment to the Circuit Court of the
11. county. Senate Bill 964 repeals the former means retaining
12. only the latter. The Governor's Message declares that he will
13. approve the bill if both means are retained in law. I believe
14. that once a county board of election commissioners have been
15. established it should be abolished only if the people them-
16. selves indicate they favor such an action by voting for the
17. abandonment at an election. So, Mr. President and members
18. of the Senate, I, therefore, ask for an override of the
19. Governor's Amendatory Veto.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? Senator Rhoads.

22. SENATOR RHOADS:

23. Thank you. If the sponsor will yield for a question?

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Indicates he will yield. Senator Rhoads.

26. SENATOR RHOADS:

27. Senator Kosinski, as I understand it this bill applies
28. in its application only to the County of DuPage. Is that
29. correct?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Kosinski.

32. SENATOR KOSINSKI:

33. That's right.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rhoads.

3. SENATOR RHOADS:

4. Well, I'm just curious. You represent a Chicago
5. district, but what is your interest in the bill?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Kosinski.

8. SENATOR KOSINSKI:

9. I...I my colleagues say good government, but I am
10. the Senator for the entire State of Illinois and not only
11. the district of 14.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rhoads.

14. SENATOR RHOADS:

15. Well, I'm sure Senator Stevenson and Senator Percy
16. will be happy to hear that. Essentially, the issue here is
17. what, that you...you want it to be possible to abolish the
18. DuPage County Board of Elections by action of this Body. Is
19. that correct?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Kosinski.

22. SENATOR KOSINSKI:

23. By the people, not by the Body. I'm asking for the...for
24. giving the right to the people to abolish the board if they wish.
25. And only to the people.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Rhoads.

28. SENATOR RHOADS:

29. Part of my district falls into DuPage County and I haven't
30. heard any clamour from constituents to override the Governor's
31. Veto on this and I think the veto ought to be sustained.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further discussion? Senator Kosinski may close.

1. SENATOR KOSINSKI:

2. I move for a favorable roll call.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. The question is, shall the Senate...the question is, shall
5. Senate Bill 964 pass the Specific Recommendations of the Governor
6. to the contrary notwithstanding. Those in favor vote Aye.
7. Those opposed vote Nay. The voting is open. (Machine cutoff)
8. all voted who wish? Anticipating your question, Senator Rock,
9. anticipating the question to override the Specific Recommendations
10. of the Governor will require 36 votes. Senator Rock, we're in
11. the middle of a roll call, however...

12. SENATOR ROCK:

13. I understand. It's parliamentary inquiry, Mr. President.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Yes. State your inquiry.

16. SENATOR ROCK:

17. How does one make a motion to reconsider the vote by which
18. we did something to 203?

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Having the...the parliamentary procedure would be having
21. voted on the prevailing side, having the message still within
22. the domain of the Senate, you could move to reconsider the
23. vote by which we, in fact, accepted...

24. SENATOR ROCK:

25. The motion...the motion will be filed momentarily.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. All right. Is there further...Have all voted who wish?
28. Have all voted who wish? Take the record. Senator Kosinski
29. is recognized.

30. SENATOR KOSINSKI:

31. Postpone.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The sponsor has requested further consideration the

1. motion be postponed. It will be placed on the Order of
2. Postponed Consideration. Senator Merlo, the Chair has
3. interrupted you twice already I...if you want to try it
4. one more time, perhaps, we can, in fact, get to your bill
5. this time with apologies of the Chair. Senate Bill 421.
6. Do you wish to proceed with that one first, Senator Merlo?
7. Read the bill...read the motion, Mr. Secretary.

8. SECRETARY:

9. I move to accept the...Specific Recommendations of
10. Governor as to Senate Bill 421 in the manner and form as
11. follows. Signed, Senator Merlo.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Merlo.

14. SENATOR MERLO:

15. Mr. President and members of the Senate. I move that
16. we accept the Specific Recommendations of the Governor for
17. Change in Senate Bill 421. The major change in the current law
18. made by this bill just affects the...the...the notice to be
19. given to the insured, bringing it to sixty days for non-
20. renewal. There are other technical changes but what they are
21. attempting to do is merely to bring it into conformity with
22. the suggestions made by the Department of Insurance and I
23. would appreciate your favorable consideration.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion or debate? The motion is to accept
26. ...further debate? The question is, shall the Senate accept
27. the Specific Recommendations of the Governor as to Senate Bill
28. 421 in the manner and form just stated by Senator Merlo. Those
29. in favor vote Aye, those opposed vote Nay. The voting is open.
30. Have all voted who wish? Senator Carroll, would you...have
31. all voted who wish? Take the record. On that question, the
32. Ayes are 50, the Nays are None. None Voting Present. The
33. Specific Recommendations of the Governor as to Senate Bill 421

1. having received the required majority vote of Senators
2. elected, are declared accepted. Senator Merlo, did you
3. wish to proceed with 526? Read the motion, Mr. Secretary,
4. please.

5. SECRETARY:

6. I move to accept the Specific Recommendations of the
7. Governor as to Senate Bill 526 in the manner and form
8. as follows. Signed, Senator Merlo.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Merlo.

11. SEANTOR MERLO:

12. Senate Bill 526 requires that when an insurance company
13. sends a cancellation for nonrenewal notice for a policy
14. of insurance, that the notice must include a specific
15. explanation of the reason for cancellation. There was
16. some confusion between this bill and Senator Collins
17. yesterday, specifically made the point with her bill,
18. 473 and 1107 and what the Governor attempted to do was
19. to bring these in conformity with one another and I
20. would appreciate your favorable consideration and move,
21. Mr. President, that we accept the Specific Recommendations
22. of the Governor for change in 526.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there discussion? The question is shall the Senate
25. accept the Specific Recommendations of the Governor as to
26. Senate Bill 526 in the manner and form just stated by
27. Senator Merlo. Those in favor vote Aye. Those opposed
28. vote Nay. The voting is open. Senator D'Arco. Right. Okay.
29. Have all voted who wish? Take therecord. On that question
30. the Ayes are 52, the Nays are none, none Voting Present.
31. The Specific Recommendations of the Governor as to Senate Bill
32. 526 having received the required majority vote of Senators
33. elected, are declared accepted. Senate Bill 606. Read the
motion, Mr. Secretary, please.

1. SECRETARY:

2. I move that Senate Bill 606 Do Pass, the Specific
3. Recommendation of the Governor to the contrary notwithstanding.
4. Signed, Senator Maragos.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Maragos.

7. SENATOR MARAGOS:

8. Mr. President and members of the Senate. Again,
9. I rise to override the Amendatory Recommendations of the
10. Governor because of the fact again, we are emasculating
11. the process by which the particular local school districts
12. have control over the sites which are very dear and important
13. to them. In 607, you decided not to proceed because that would
14. be the controlling of the funds and there might be some
15. question as to whether there should be joint control of
16. all the funds expended since the State itself puts a
17. primary...puts a greater portion of the funds into
18. ...into the kitty. However, in this particular situation,
19. I think that the final payment should be withheld
20. until the local board...school board has an opportunity
21. to review and see that everything is complete at the job
22. site. And I think by this amendatory change that the Governor
23. has recommended, it would take away that...I think a very
24. important right to the local school board which is the Body that
25. lives with the problem day in and day out and therefore, I ask
26. that you override the Specific Recommendation and have the bill
27. in a final form that it was after it passed both Houses and
28. especially after the Capital Development Board told us that
29. it was in satisfactory condition when it left the committee...
30. in the Executive Committee hearings. I ask for a specific
31. override.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion? Senator Shapiro.

1. SENATOR SHAPIRO:

2. Well, Mr. President and Ladies and Gentlemen of the
3. Senate, the only provision that the Governor took out in
4. his Amendatory Veto related to the final payment and I
5. want to point out to you that under the current practices
6. in the procedures of the CDB, do provide adequate protection
7. for our local school districts and junior colleges. Now,
8. prior to this past Spring and that, it was not that way.
9. But since we do have a new Executive Director who is
10. attempting to work very closely with our local junior
11. college districts and local school districts, the current
12. practice is that the local district must sign the final
13. acceptance form on each contract so that they do know when
14. the payment is being made and additionally, the local
15. disitric may be represented and can be represented
16. at each pay meeting and can, if they so request, receive
17. copies of all the vouchers that are processed for payment.
18. Actually, with the Governor's Amendatory Veto in taking up
19. his final payment provision, I think the bill is in good
20. shape and we should resist the motion to override the Amendatory
21. Veto.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there further debate? Senator Hickey.

24. SENATOR HICKEY:

25. Thank you, Mr. President. I think it's very important
26. to lock this in statutorily and I think that we should override
27. the Governor's Amendatory Veto. There is another very large
28. issue involved here. We hear all the time that one of the
29. things that local taxpayers are worried about, local citizens
30. are worried about, is that when the State comes into any
31. kind of new control in any situation involving them, the
32. State gobbles them up. I...we hear this when we're talking
33. about...even about the School Aid Distributive Formula.
They're afraid...they're afraid of losing more local control and

1. I think that this is just another instance of
2. showing that maybe some of their fears may be right and
3. that it's very, very important to override this Amendatory
4. Veto.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there further discussion? Is there further discussion?
7. Senator Maragos may close.

8. SENATOR MARAGOS:

9. Mr. President and members of the Senate, I reiterate
10. and as Senator Shapiro has stated, this is the practice
11. being done now by the Executive Director. We have...we have
12. a fairly good Executive Director now, we have a very
13. good Chairman of the Board. But tomorrow, we may not have
14. one and why shouldn't we have the input that these procedures
15. will be locked in by Statute rather than by whim or caprice
16. of a certain director and since this is the...director
17. by his own actions, acknowledges that this is a good point,
18. I think we should lock it in in the Statutory...in the
19. Statutory manner, thereby insuring that these local school
20. districts will have some say so in their construction of their
21. buildings and their capital improvements and therefore, I ask
22. for the override. This is not a partisan issue.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is shall Senate Bill 606 pass, the
25. Specific Recommendations of the Governor to the contrary
26. notwithstanding. Those in favor vote Aye. Those opposed
27. vote Nay. The voting is open. This will require thirty-
28. six votes to pass. Have all voted who wish? Have all voted
29. who wish? Take the record. Senator Maragos has requested
30. that further consideration of the motion be postponed. It will
31. be placed on the Order of Postponed Consideration.
32. That concludes the motions that we have on file to
33. either accept or override the Specific Recommendations for
Change of the Governor. Any other Senator wish to accept or over-

1. ride the Specific Recommendations of the Governor before
2. we leave this Order of Business? We have no motions on file.
3. For what purpose does Senator Nimrod arise?

4. SENATOR NIMROD:

5. Yes, Mr. President. I'm handling a motion that's
6. being drawn up...will we have a chance to get back to this
7. Order again later on?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. I believe so, Senator Nimrod.

10. SENATOR NIMROD:

11. Thank you.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there leave to go to the Order of Motions in
14. Writing? Motions in Writing. Mr. Secretary.

15. SECRETARY:

16. A Motion in Writing. Having voted on the prevailing
17. side, I wish to reconsider the vote upon which the Specific
18. Recommendations for Change to Senate Bill 203 pass.
19. Signed, Senator Rock.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Rock, did you wish to consider this motion
22. at this time? Senator Rock.

23. SENATOR ROCK:

24. I am sure that there is other business and needn't
25. be done at this time. The motion is filed. The message
26. will be held, I'm sure. Senator Philip is on the Floor.
27. I'm just attempting at least, to deliver a message.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. All right. The motion will be placed on the Calendar
30. for consideration tomorrow with the other two motions in
31. ...Senator Rock.

32. SENATOR ROCK:

33. No, tomorrow is too late, for everybody. Why don't we

1. consider the motion right now. It will...it will go up or
2. down and then Senator Kosinski is ready again to renew
3. his motion and everything will be fine.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. For what purpose does Senator Nimrod arise?

6. SENATOR NIMROD:

7. Yes, Mr. President, parliamentary inquiry. What...what
8. number of votes is required to...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. A majority of those voting on the question.

11. I'm sorry, Senator Nimrod. It will require thirty affirmative
12. votes. Is there further debate on the motion? The motion
13. is to reconsider the vote by which the Specific Recommendations
14. for Change on Senate Bill 203 were accepted by this Body.
15. Those in favor will vote Aye. Those opposed will vote
16. Nay. The voting is open. Thirty affirmative votes
17. are required. Have all voted who wish? Have all voted who wish?
18. Take the record. On that question the Ayes are 32,
19. the Nays are 17. The motion to reconsider prevails.
20. For what purpose does Senator Philip arise?

21. SENATOR PHILIP:

22. Thank you, Mr. President. I just might say this, that
23. on Senate Bill 203, doesn't even pertain to DuPage County.
24. I hope you realize what you're doing because this pertains
25. to a tax increase for the purpose of running elections.
26. My county doesn't even come under this bill, Senator.
27. It doesn't apply to DuPage County whatsoever, but there are
28. a lot of counties downstate controlled by the opposition
29. party that are going to be very unhappy and dissatisfied
30. if this bill goes down the drain. I'm handling it for somebody
31. but it doesn't even pertain to DuPage County. If it would
32. pass, it doesn't benefit my county at all. And I would ask
33. for a verification of the roll call.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. There's been a request for a verification of the
3. roll call. Those who voted in the affirmative, will the Senators
4. please be in their seats. Secretary will call the names of
5. those who voted in the affirmative. For what purpose does Senator
6. Soper arise?

7. SENATOR SOPER:

8. In order that we might be able to facilitate this
9. roll call check up, when the Senators name who...whose
10. name is called, I...if he's present, would be like to stand
11. up so we don't have to search and go backwards and all through
12. this jazz? You know.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. For what purpose does Senator Philip arise?

15. SENATOR PHILIP:

16. Thank you, Mr. President. I think in the spirit
17. of cooperation, I will withdraw it and just let the damn
18. thing go down.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The...Senator Philip withdraws his request for a verification.
21. Are there...any Senator wish to call a motion under the Order of
22. Total Vetoes, Item Vetoes or Item Reductions, and the Chair
23. would remind you that today is the last day that these motions
24. could be considered. For what purpose does Senator Vadalabene
25. seek recognition?

26. SENATOR VADALABENE:

27. Yes, on the...on Total Vetoes, is today the last day for
28. Total Vetoes, also?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Vadalabene, yes, and it relates to all Veto
31. Messages. Do you accept, reject, override or override a Total
32. Veto? Today will be the last day for Senate consideration of
33. Senate matters.

1. SENATOR VADALABENE:

2. And we'll have an opportunity to come to one of those
3. at any time and any category.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The Chair wouldn't want to say at any time. I...at some
6. point I'm sure the President is going to say that we have allotted
7. adequate time for any sponsor of a motion to have called it
8. and I would not want to say that we will, at any time, consider
9. those. We are on that Order at the present time. Senator
10. Maragos.

11. SENATOR MARAGOS:

12. I think I have one motion left on 856.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. I'm sorry. 856, Senator Maragos, I thought you
15. said 56.

16. SENATOR MARAGOS:

17. No, 856.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right. On the Order of Total Vetoes, is Senate
20. Bill 856 which appears on page 7 of your Calendar at the top
21. ...top of the page. Mr. Secretary, read the motion.

22. SECRETARY:

23. I move that Senate Bill 856 Do Pass, the veto of the
24. Governor to the contrary notwithstanding. Signed, Senator
25. Maragos.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Can we have some order, Gentlemen and Ladies.
28. Senator Maragos.

29. SENATOR MARAGOS:

30. Mr. President and members of the Senate. As you note
31. by the sponsorship of this particular bill, that it's bipartisan
32. in effect and is also good consumer legislation. What this
33. bill did originally, Mr...what this...for those...this is Senate

1. Bill 856. This bill is very important because many times
2. when the debtor pays off his or her mortgage whether it be for
3. a car, a chattel mortgage for a car or for any other
4. appliance that he or she may have borrowed money from a
5. bank or from any other financial institution, they have paid off
6. the money but not being sophisticated in their approach to the
7. laws of the State of Illinois or any other laws for that
8. matter, they assume when they make that final payment of that
9. bill that they will be released on the record. Those of you
10. who are also familiar know that many times the Uniform
11. Commercial Code requires that you record any...a lien for...
12. on a car or for furniture or any other item that a person
13. may borrow money and pay it off in payments.
14. And therefore, that lien is not expunged unless the
15. creditor gives the debtor a release which has to be recorded.
16. Many times, the financial institutions have to be fully paid
17. fail to send a release or record themselves and since...they
18. may even mail it sometimes to the debtor but who is not
19. sophisticated enough to know what to do with it, files it away
20. and then loses it and several years later when his credit
21. rating is at stake, he finds that he still has that lien
22. with no record on that he has paid it. Therefore, Mr. President
23. and members of the Senate, I think this is a good bill
24. even though some of the financial institutions may not like it
25. and I represent some myself, I still feel that this is good
26. consumer legislation to protect the unsophisticated
27. borrower who has paid his bills and still has a lien on
28. his property. I ask for your support and override on this
29. particular bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion? Senator Glass.

32. SENATOR GLASS:

33. Question of the sponsor if he will yield.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Indicates he will yield. Senator Glass.

3. SENATOR GLASS:

4. Senator Maragos, one of the points raised by the
5. Governor in his Veto Message was that this procedure
6. would be different than...than the procedure followed in
7. many other states and of course, one of the purposes of the
8. Uniform Commercial Code is to make uniform procedures
9. nationwide. Do you happen to know whether the reversal of the
10. requirement for recording this release envisioned by your
11. bill, has been adopted in any other states?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Maragos.

14. SENATOR MARAGOS:

15. Senator Glass, in response to your question, I do not
16. know at this time what other states have done in this area.
17. However, I think we should become the forerunner and make the...
18. all the other Uniform Commercial Codes comply with the
19. terms that we have, I think we should make an effort. This is...
20. this will not in any way affect a substantive...creditors
21. rights in recording the liens It will not do anything
22. but when that creditor has been fully paid, I think we should
23. proceed and give the debtor an opportunity to be given that
24. relief.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Further discussion? Senator Weaver.

27. SENATOR WEAVER:

28. Thank you, Mr. President. Well, I filed this same bill,
29. Senate Bill 148 early in the Spring. It was defeated in
30. Judiciary. Senator Maragos refiled the bill. I think it's a good
31. bill. I think it's needed and I intend to support it.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further discussion? Senator...Senator Maragos

1. may close.

2. SENATOR MARAGOS:

3. Thank you, Mr. President and members. I ask for a
4. favorable vote and I think Senator Weaver expressed it very
5. well.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is shall Senate Bill 856 pass, the veto of the
8. Governor to the contrary notwithstanding. Those in favor vote
9. Aye. Those opposed vote Nay. The voting is open. Have all
10. voted who wish? Have all voted who wish? Take the record.
11. On that question the Ayes are 53, the Nays are none, none
12. Voting Present. Senate Bill 856 having received the required
13. three-fifths vote is declared passed, the veto of the Governor
14. to the contrary notwithstanding. Other Motions in Writing
15. any Senator wish to consider at this time? For what purpose
16. does Senator Rock arise?

17. SENATOR ROCK:

18. On the Order of Item Vetoes, with respect to Senate
19. Bill 496.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Mr. Secretary, read the motion, on Item Vetoes, appears
22. Senate Bill 496. Senator Rock has filed a motion to override.
23. The Secretary will please read the motion. May we have some
24. order, Gentlemen.

25. SECRETARY:

26. I move that the item on page 26, line 30 through 32
27. of Senate Bill 496 Do Pass, the Item Veto of the Governor to
28. the contrary notwithstanding. Signed, Senator Rock.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Rock.

31. SENATOR ROCK:

32. Thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. The item which was, in fact, vetoed by the Gubernatorial
action is 6.6 million dollars for Triton Community College.

1. This is a commitment the State made about four years ago.
2. The State has now committed itself and has, in fact, spent
3. close to a million dollars. We have passed on two occasions
4. this appropriation. The Governor vetoed it on the basis
5. that the Bonding Authority, in his opinion, was not sufficient
6. to cover this appropriation. You and I both know that there are
7. some two hundred million dollars worth of bonds and
8. authorization yet outstanding, yet unauthorized and yet
9. unobligated. The fact of the matter is he pretty much
10. does it with mirrors. I am suggesting, as the House has
11. suggested, that during the purview of the Second Special
12. Session, this appropriation will and is included in the
13. appropriation bill. What I am suggesting here is that
14. we override what the Governor did and say to him in clear and
15. uncertain terms, that this is a project that the General
16. Assembly has already committed itself to and that we are
17. still committed to and I would ask your favorable vote.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? Senator Shapiro.

20. SENATOR SHAPIRO:

21. Well, Mr. President and Ladies and Gentlemen of the
22. Senate. I wanted to point out that this was a nonbudgeted
23. item. It was not high on the priority list, not high enough
24. to be recommended by the Board of Higher Education and because
25. of those factors, I would urge a...that the Item Veto...
26. that the monies be not restored and that we resist the
27. restoration.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Glass. Further debate?
30. Senator Rock, do you wish to close? Senator Rock.

31. SENATOR ROCK:

32. In clear and uncertain terms, I wish to suggest that
33. there is now pending in the House, a bill to increase the
Bonding Authority in a bill to appropriate certain projects

1. one of which is this project and it just seems to me that
2. ...if, in fact, we will do and should do what is right,
3. the State of Illinois has spent approximately a half a million
4. dollars already toward its commitment to this project.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The question is shall the item on page 26, lines
7. 30 through 32 of Senate Bill 496 pass, the Item Veto of the
8. Governor to the contrary notwithstanding. Those in favor
9. vote Aye. Those opposed vote Nay. The voting is open.
10. 36 votes will be required. Have all voted who wish?
11. Have all voted who wish? Take the record. On that question
12. the Ayes are 33, the Nays are 17. The item on page 26, lines 32-30...page
13. 26, lines 30 through 32 having failed to receive the required three-
14. fifths vote is...the motion is lost. Senator Carroll,
15. for what purpose do you arise?

16. SENATOR CARROLL:

17. I have a motion on the same bill, Mr. President.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Why don't we take that up at this time. Mr.
20. Secretary, read the motion, please.

21. SECRETARY:

22. I move that the item on page 28, lines 5 through
23. 6 of Senate Bill 496 Do Pass, the Item Veto of the Governor
24. to the contrary notwithstanding. Signed, Senator Carroll.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. May we have some order, Ladies and Gentlemen. Senator
27. Carroll.

28. SENATOR CARROLL:

29. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
30. This was the capital appropriation for the building and
31. construction land acquisition phase of the Loop Junior
32. College on South State State Street in Chicago. As most of
33. you know, this is a project that has been long in its planning

1. and monies have been appropriated by the General Assembly
2. each and every year for this particular project. We had
3. appropriated for site planning about a million two a few
4. years ago, some of which has been spent in that site planning.
5. We have appropriated four and a half million which has not yet
6. been released for acquisition of one of the two blocks
7. necessary. Mr. Glickman, the Director of CDB, had recommended
8. to the Loop College, that we do the land acquisition at one
9. time appropriating the full amount of resources necessary
10. to buy all the blocks that will be essential for building
11. this new complex. The State Street Council has been active
12. in its support of revitalizing State Street through the use
13. of building the college and have indicated that that support
14. may dwindle in the future because of the State lacking in
15. its efforts to really bring this to completion. This monies
16. were appropriated by the General Assembly. The Governor's
17. Veto Message does not in any way state why he vetoed it other
18. than the total dollars for higher education. As I think we all
19. know, these dollars keep increasing year in and year out.
20. This particular project has escalated many, many times while
21. we've been awaiting the State to release all the monies
22. necessary. I would hope we would have the support of the
23. entire membership so that the Loop Junior College project
24. can acquire the land and...and start the revitalization
25. of the commercial area of Chicago. Thank you.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there further discussion? Senator Shapiro.

28. SENATOR SHAPIRO:

29. Well, Mr. President and Ladies and Gentlemen of the Senate.
30. For the same reasons that I enumerated on the prior bill,
31. we should resist the restoration of these funds. This project
32. has a cost figure of approximately forty million dollars.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Further discussion? Senator D'Arco.

2. SENATOR D'ARCO:

3. Senator Carroll, will you yield for a question?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Indicates that he will yield. Senator D'Arco.

6. SENATOR D'ARCO:

7. How much is the amount of the line item appropriation

8. that he vetoed?

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Carroll:

11. SENATOR CARROLL:

12. Seven and a half million dollars.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator D'Arco.

15. SENATOR D'ARCO:

16. Now, that money is going to use...is going to be used

17. for land acquisition, is that principally what it is for?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Carroll.

20. SENATOR CARROLL:

21. That is correct, along with the four and a half million

22. we had appropriated in the past that has not yet been

23. released.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator D'Arco.

26. SENATOR D'ARCO:

27. Where is the authorization bill, did that pass

28. the Senate and the House or was that in the CDB appropriation

29. bill or...

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator...Senator Carroll.

32. SENATOR CARROLL:

33. The...that would have to have been in the CDB authorization

34. bill. There is a question, according to the Governor, of

1. how much authority he has. There is currently coming over
2. from the House, another authorization bill for CDB and once
3. we see the final figures, I'm sure we can make the adjustments
4. necessary. I understand the House has, in fact, authorized
5. this money for this project in the CDB bill that's over in the
6. House right now.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator D'Arco.

9. SENATOR D'ARCO:

10. Mr. President and Ladies and Gentlemen of the Senate, this
11. potential college is going to be in my district, if it is
12. going to be and I rise in support of this college. We need to
13. revitalize the Loop area in Chicago and this is a step further
14. in that direction of doing that and I support this and I would
15. ask your support on this bill.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Carroll may close.

18. SENATOR CARROLL:

19. Thank you. Just again repeating what I answered to Senator
20. D'Arco. The apparent issue is one of authorization and
21. the...there are many of us who felt that there was sufficient
22. authorization in CDB but just in case, the House bill is
23. coming over with the amendment already attached, that authorizes
24. this particular amount should we appropriate the money. I think
25. those of you who are interested in commerce in this State as
26. well as those of you who are interested in education
27. and are interested in providing for both at the cheapest
28. possible dollar cost, will be supporting the override of this
29. particular veto so we can get the project underway. Thank you.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. The question is shall the item on page 28, line
32. 56 of Senate Bill 496 pass, the Item Veto of the Governor to
33. the contrary notwithstanding. Those in favor vote Aye. Those

1. opposed vote Nay. The voting is open. Have all voted who wish?
2. Have all voted who wish? Take the record. On that question
3. the Ayes are 35, the Nays are 16, none Voting Present.
4. The item on page 28, lines 5 through 6 having failed to receive
5. the requiried three-fifths vote, the motion is lost and the Item
6. Veto of the Governor is sustained. All right. For what
7. purpose does Senator Donnewald arise?

8. SENATOR DONNEWALD:

9. Yes, Mr. President, I did file a motion in regard to Senate
10. Bill 203, if we have consent from the Body, I'd like to go to that
11. order of business. Would the Secretary please read the motion.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there leave? Leave is granted. Read the motion,
14. Mr. Secretary.

15. SECRETARY:

16. I move to accept the Specific Recommendations of the
17. Governor as to Senate Bill 203 in the manner and form as
18. follows. Signed, Senator Donnewald.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Donnewald.

21. SENATOR DONNEWALD:

22. Yes, Mr. President, members of the Senate. I think that
23. this is, indeed, needed legislation and without further
24. ado, I would urge that the members of the Senate support the motion and
25. I would state that it does require thirty-six affirmative
26. votes. No, there...it does require thirty-six in that
27. there is an effective date added in the Governor's Message.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Soper.

30. SENATOR SOPER:

31. Well, was this the...this the revival of that other motion
32. we had before, is that the bill that was...

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Donnewald.

2. SENATOR DONNEWALD:

3. Senator, this is the ultimate. Let's get it over with.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Soper.

6. SENATOR SOPER:

7. Just want to repeat that I...what I said before. Everybody
8. loves somebody sometime.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further discussion or debate? The question is
11. shall the Senate accept the Specific Recommendations of the
12. Governor as to Senate Bill 203 in the manner and form
13. just stated by Senator Donnewald. Those in favor vote Aye.
14. Those opposed vote Nay. The voting is open. For what purpose
15. does Senator Bowers arise and I would remonish you...

16. SENATOR BOWERS:

17. I have a parliamentary inquiry.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Yes.

20. SENATOR BOWERS:

21. Senator Philip's motion on this same subject matter
22. is...is on the Floor for consideration. Is that correct?

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. No, we reconsidered, Senator.

25. SENATOR BOWERS:

26. You did? And it...so it was brought...it was adopted
27. then it was moved...motion to reconsider carried, so therefore,
28. it's...it's on the Floor for consideration, isn't that correct?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Yes.

31. SENATOR BOWERS:

32. Is this filed as a substitute motion to Senator Philip's
33. motion...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. No, Senator Donnewald also...

3. SENATOR BOWERS:

4. ...or...or what's the status...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. ...Senator Donnewald also filed a motion which he asked
7. leave of the Body to have considered at this time and leave
8. was granted.

9. SENATOR BOWERS:

10. Well, can...can the same motion be filed by a separate
11. Senator, that...

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Under our rules, we have to wait eight days and then
14. there's nothing that says that a second motion could
15. not be filed which would...so that a Senator would not be
16. precluded from calling a bill that if this first filed motion
17. was not called, the person who filed the second motion could then
18. call his own motion. He should not...would not want to
19. preclude...

20. SENATOR BOWERS:

21. But...but the first one was called?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Called, passed, reconsidered and reconsideration motion
24. prevailed and it has not been called again.

25. SENATOR BOWERS:

26. Has there been an opportunity to call it?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. We are on the Order of Motions. Have all voted who wish?
29. Have all voted who wish? Take the record. On that question
30. the Ayes are 54, the Nays are none, none Voting Present.

31. The Specific Recommendations of the Governor as to Senate

32. Bill 203 having received the required majority votes of Senators elected
33. are declared accepted. Senator Sangmeister, are you ready

to...is there leave to go to the Order of Specific...for what

1. purpose does Senator Philip...

2. SENATOR PHILIP:

3. If we're on Item Reductions, Mr. President, I have
4. a motion filed on Senate Bill 1302.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. All right. Senator Philip, we...we are not on the
7. Order of Item Reductions. We were on Item Vetoes. The Chair
8. is taking motions on all the various Veto Messages in the order
9. in which we are contacted and I have Senators Sangmeister,
10. Coffey, Washington and Egan have alerted the Chair that they
11. would like to have a motion called. We will put your name
12. on the list to any other Senator that has a motion, if you
13. would alert the Chair, we will go to that Order of Business as
14. soon as we can. Senator Graham.

15. SENATOR GRAHAM:

16. Mr. President, for the information of those who
17. perhaps didn't grasp the real significance of the prior
18. rule called on 203 I might suggest that that is the first
19. time a real playing of brakemanship in this Session. It
20. was brakemanship at its greatest and everybody is happy now, but
21. I just wanted to remind you that that was it.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. On the Order of Specific Recommendations for Change,
24. a motion to accept has been filed by Senator Sangmeister.
25. The Secretary will read the motion. I'm sorry. The motion is
26. to override. The Secretary shall read the motion.

27. SECRETARY:

28. I move that Senate Bill No. 728 Do Pass, the Specific
29. Recommendations of the Governor to the contrary notwithstanding.
30. Signed, Senator Sangmeister.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Sangmeister is recognized.

33. SENATOR SANGMEISTER:

1. Mr, President and members of the Senate. This is, of course,
2. the same bill that we spent all the time on, it was yesterday.
3. It is Senate Bill 728. We are now asking that the bill
4. be approved as it was passed by the General Assembly this
5. year which merely says now that when the State's Attorney
6. has his back up against the wall, that he can ask for the
7. additional twenty-one days which the court can grant him under
8. present law. This will say...merely says that the court shall
9. grant the twenty-one days. That's the only change in the law
10. and I ask for an override.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator Glass.

13. SENATOR GLASS:

14. A question of the sponsor, please.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Indicates that he will yield. Senator Glass.

17. SENATOR GLASS:

18. Senator Sangmeister, now, am I correct, you moved
19. what, yesterday or the day before to accept the Governor's
20. changes, is that right?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Sangmeister.

23. SENATOR SANGMEISTER:

24. That is correct.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Glass.

27. SENATOR GLASS:

28. What was the vote or what was the result of that motion?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Sangmeister.

31. SENATOR SANGMEISTER:

32. Well, the result of the motion was that it failed. I didn't...
33. I didn't really remember the board. I think we had twenty-
six votes, as I recall.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Glass.

3. SENATOR GLASS:

4. Does the State's Attorney Association have a position on
5. this bill and if so, what is it?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Sangmeister.

8. SENATOR SANGMEISTER:

9. They have a position and they favor it.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Rock.

12. SENATOR ROCK:

13. Thank you, Mr. President. I rise in support of this motion
14. to override. The point we made yesterday was that we...we
15. did, in fact, by virtue of Senate Bill 728, amend
16. a specific section of the Statute. The Governor saw fit to
17. amend a different paragraph. It seems to me that we have...we
18. approved this bill virtually unanimously and I think we should
19. override.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator...Sangmeister may close.

22. SENATOR SANGMEISTER:

23. Enough has been said. Just a favorable vote, thank you.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The question is shall Senate Bill 728 pass, the
26. Specific Recommendations of the Governor to the contrary
27. notwithstanding. Those in favor will vote Aye. Those
28. opposed will vote Nay. The voting is open. Have all voted
29. who wish? Well...take the record. On that question the Ayes
30. are 58, the Nays are none, none Voting Present. Senate Bill 728
31. having received the required three-fifths vote is declared passed,
32. the Specific Recommendations of the Governor to the contrary
33. notwithstanding.

End of reel.

1. RESIDING OFFICER: (SENATOR BRUCE)

2. For what purpose does Senator Grotberg arise?

3. SENATOR GROTEBERG:

4. Point of inquiry of the sponsor of the previous motion.

5. I...I have a feeling that may be the first bill that Senator

6. Sangmeister really passed in total out of this Body since

7. he was sworn in. Is that correct, George...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Sangmeister...

10. SENATOR GROTEBERG:

11. ...a lot of...a lot of your bills while you've been

12. gone, but I just wondered if there was some significance

13. about this bill.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Sangmeister.

16. SENATOR SANGMEISTER:

17. No, there's no great significance, but you're correct

18. now and I'll tell you it's damn glad to be back here and try

19. to get one passed too. I'll tell you that.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. That was his first bill. I didn't realize that. Okay.

22. On the Order of Item Vetoes, Senate Bill 752. The motion has

23. been filed by Senator Coffey. Read the motion, Mr. Secretary,

24. please.

25. SECRETARY:

26. I move that the item on page 6, line 11 through 14 of

27. Senate Bill 752 Do Pass the Item Veto of the Governor to the

28. contrary notwithstanding. Signed, Senator Coffey.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Coffey.

31. SENATOR COFFEY:

32. Mr. President and members of the Senate. I'm asking your

33. assistance and help and...on page 6 on line 11 and 14 to help

1. override this Item Veto. It's for the sum of twenty thousand
2. dollars to the Wabash Valley Interstate Commerce Commission for
3. the ordinary contingency expenses for...for the Wabash Valley
4. Interstate Commission. I'm sorry. Last year there was
5. appropriations brought before this Body. Indiana also normally
6. matches this twenty thousand dollars. Last year the State of
7. Indiana failed to do so. Therefore, Illinois also failed to
8. pass their twenty thousand because there was not a joint effort.
9. This year the State of Indiana has appropriated twenty thousand
10. dollars to this commission and we have got appropriation to
11. match that for twenty thousand dollars. I would...like to
12. ask this Body to help me support this Item Veto.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further discussion? Senator Carroll.

15. SENATOR CARROLL:

16. Thank you, Mr. President. If the sponsor would yield
17. for a question.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Indicates he will yield. Senator Carroll.

20. SENATOR CARROLL:

21. I was curious as to why the Governor did, in fact, veto
22. or reduce this particular appropriation.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Coffey.

25. SENATOR COFFEY:

26. Senator Carroll, I...I really can't answer that, why he
27. did Line Item Veto this, except to read his Veto Message. I'd
28. be glad to do that if you would like me to do so from the book,
29. but I have not talked to the Governor, specifically, about this.
30. Matter of fact, I wasn't aware until a few days ago that he had
31. even vetoed this twenty thousand...I understood earlier that if
32. Indiana...from the Governor's Office Indiana appropriated
33. and did appropriate the twenty thousand dollars also that they

1. would support Illinois with...for twenty thousand, but it
2. did not happen.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Carroll.

5. SENATOR CARROLL:

6. Well, just echo the words of Senator Shapiro. It seems
7. to me the monies were just not available and maybe you should
8. support your local Governor.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. ...Mr. President and members of the Senate. The item
13. that we have here is in the sum of twenty thousand dollars.
14. Is that not correct, Senator? And that's for the Wabash
15. Valley Interstate Commission. This is a joint commission that
16. has been ongoing for a number of years and it's very needed
17. for that part of our State to be in cooperation with the
18. neighboring states, particularly, Indiana and I think the
19. sum of twenty thousand dollars in the State of Illinois is
20. not going to rupture the budget one bit. It is really
21. getting down to the fact where...where we really got to
22. get down to the nitty-gritty. I think we can find twenty
23. thousand dollars to save around here a lot better than a
24. very important cooperative commission with a sister state
25. down in an area that, maybe, many...many of us here are not
26. as acquainted with as the Senator and I'm going to take the
27. Senator's word, if he says it's good for the State of
28. Illinois, I know that Senator Kosinski will vote for it
29. because he represents the State of Illinois as a Senator
30. and I'm sure that he can get a few votes over there to help
31. out Senator Coffey. Thank you.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Rock.

1. SENATOR ROCK:
2. Well, I...I...I, in fact, we...we have a motion to
3. file on this same bill and I'll tell you what, Senator
4. Coffey, you vote for ours, we'll vote for yours.
5. PRESIDING OFFICER: (SENATOR BRUCE)
6. Senator Rhoads.
7. SENATOR RHOADS:
8. Just wanted to point out to Senator Carroll that this
9. is roughly one fourth of Milton Pikarski's salary.
10. PRESIDING OFFICER: (SENATOR DONNEWALD)
11. Senator Carroll.
12. SENATOR CARROLL:
13. And obviously the Governor thinks higher of Milton
14. Pikarski than he does of this projection.
15. PRESIDING OFFICER: (SENATOR DONNEWALD)
16. Senator Rock.
17. SENATOR ROCK:
18. As a matter of fact, this is our salary.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Bruce.
21. SENATOR BRUCE:
22. Thank you, Mr. President, I would like to just rise
23. in favor of this motion of Senator Coffey. This original
24. amount of money was placed in by Representative O'Daniel
25. who has resigned this Monday and been replaced, but he and
26. I have had a very great interest in the Wabash Valley Inter-
27. state Commission. George Gettinger, the Executive Director
28. for many years has done a very good job. The Senator
29. Weaver knows all about this particular appropriation. He
30. drafted a hundred amendments to give a dollar and then fifty
31. cents or whatever match, whatever Indiana put in. And now
32. Indiana has come up with our...the agreed amount. Senator
33. Egan chaired the committee that put this in. We agreed to

1. put it in to see what Indiana would do. They did, in fact,
2. appropriate the twenty thousand dollars as Senator Egan
3. agreed that they would...we would put in a matching amount.
4. Why the Governor vetoed it, I do not know. Perhaps, he did
5. not get the information that Indiana had made the agreement.
6. We had testimony from an Indiana legislator on this. It seems
7. to me that we've always funded the Wabash Valley Interstate
8. Commission except for last year and this would be an
9. appropriate amount of money to match what Indiana has done.
10. That is the agreement we have always had with that other State.
11. I would rise in support of the restoration of this money.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Joyce.

14. SENATOR JOYCE:

15. Yes, thank you, Mr. President. I think this is a very
16. worthwhile cause. I think that it fits right in with the
17. Kankakee River Commission and I think that we ought to
18. consider them both at the same time.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Weaver.

21. SENATOR WEAVER:

22. Thank you, Mr. President. Well, I haven't seen a balance
23. sheet on this commission lately, but I know last year we
24. opposed anything over and above what Indiana did. If
25. Indiana has appropriated twenty thousand this year, why I
26. want to be consistent and I would certainly support the
27. State of Illinois' appropriation of twenty thousand and I
28. would support Senator Coffey's motion.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Senator Coffey may close.

31. SENATOR COFFEY:

32. Thank you, Mr. President and members of the Senate. I
33. would like to remind two of my fine colleagues on the other

1. side of the aisle, Senator Carroll and Senator Rock that
2. I've already given them a vote and I think one of the last
3. votes I got...gave was for forty million dollars on that
4. side of the aisle for Senator Carroll and I think I more...
5. than paid back my vote on that side of the aisle. When you
6. trade...when you're trading forty...I...I would ask this
7. Body to...to give me a...a vote to override this line
8. item and I think it's a good project. I think its done
9. a lot for downstate Illinois and we'd ask for a full...
10. favorable roll call.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. All right. The question is, shall the item on page
13. 6, lines 11 through 14 of Senate Bill 752, the Item Veto
14. of the Governor to the contrary notwithstanding. Those in
15. favor vote Aye. Those opposed Nay. The voting is open.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Have all voted who wish? Have all voted who wish?
18. Take the record. On that question, the Ayes are 42, the
19. Nays are 8. The item on page...page 6, lines 11 through 14
20. of Senate Bill 752 having received the required three-
21. fifths vote is declared passed. The Item Veto of the
22. Governor to the contrary notwithstanding. Remaining on
23. Senate Bill 752, Senator Joyce has filed a motion to
24. override on page 10, lines 5 through 7. The Secretary
25. will read the motion.

26. SECRETARY:

27. I move that the item on page 10, lines 5 through 7 to
28. Senate...of Senate Bill 752 Do Pass the Item Veto of the
29. Governor to the contrary notwithstanding. Signed, Senator
30. Joyce.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Joyce is recognized.

33. SENATOR JOYCE:

1. Thank you, Mr. President. This is the Kankakee River
2. Commission. In fact, it is for twenty thousand dollars,
3. Senator Coffey, the same amount that the Wabash Commission
4. was. It, in fact, Indiana has formed a commission this past
5. year and they are funding it with fifty thousand dollars.
6. The Kankakee River is fast filling up with silt. We need
7. a commission that is made of... the commission is formed.
8. It was signed into law by the Governor, but the...but he
9. amendatorily vetoed out the twenty thousand dollar funding.
10. The Northeastern Illinois Planning Commission has said
11. that the Kankakee River is going to be in the near future,
12. the only source in Northeastern Illinois of pure, clean
13. water for the City of Joliet. And it...it's just something
14. that; the people in the area are very concerned with and
15. the twenty thousand dollar price tag, I feel, is very
16. reasonable. I would appreciate a favorable roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further discussion? Senator Mitchler.

19. SENATOR MITCHLER:

20. Well, Senator Joyce, the argument that you give is not
21. consistent in comparing it with Senator Coffey's Wabash Valley
22. Interstate Commission and I'll explain to you why. Your
23. commission would deal with the Kankakee River related in the
24. State of Illinois. And we have a Water Resources Commission
25. that deals with the very subject that you're talking about.
26. We have been dealing with it. We've got quite a file on it.
27. We've had the Public Water Commission...out of Joliet that
28. was interested. And Senator Sangmeister knows very well on
29. all the activity on that. We're doing the very thing that
30. you want your commission to do. We do not set up a separate
31. commission for every stream, lake or river in the State of
32. Illinois. You've got a State Illinois Water Resources
33. Commission and that commission is mandated by Statute and

1. I might say it's very well funded for this particular fiscal year
2. and can take care of any problem that you have in the Kankakee
3. River, the commission can come down there. They can meet at
4. your request. We just met over in Senator Lane's district on
5. problems that he has with water supply there. We're meeting
6. with the...up in the Chain o' Lakes and throughout the entire
7. State. That commission can take care of any problem you have.
8. They have the money to do it and they will do it. So when you
9. compare it with the...the funding of Senator Coffey, you're
10. talking about apples and oranges. Now there's no need for this
11. and the twenty thousand rejection is there. If you want it
12. down there, get a group of spirited citizens to go through with
13. the authority that was given to you by forming a commission,
14. go ahead. And you raise the money locally. We don't have the
15. money in the treasury of the State of Illinois to have all of
16. these little lakes, streams and...and river commissions for
17. the aggrandizement of the individual in that area. We'll
18. come down and help you and do the job.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? Senator Rock.

21. SENATOR ROCK:

22. ...I think what's fair is fair and we...we're talking
23. about a bill within which certain commissions have been
24. funded. Now if ,in fact, we want a motion to reconsider
25. certain items we can file that, too.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there further discussion? Senator Joyce...Senator
28. Coffey.

29. SENATOR COFFEY:

30. Mr. President and members of the Senate. If I...I'm going
31. to vote on this bill on the merits of the bill coming up and
32. if...if they want to bring a motion back to do away with the
33. Wabash Valley Association. I've done my part for the State of

11/8/77
S. J. Joyce

1. Illinois and downstate. So whatever they would...it would be
2. their pleasure we certainly could do that.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Joyce may...further debate? Senator Joyce may
5. close.

6. SENATOR JOYCE:

7. Whatever is fair. Let's have a roll call.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The question is, shall the item on page 10, lines 5
10. through 7 of Senate Bill 752 pass the Item Veto of the
11. Governor to the contrary notwithstanding. Those in favor
12. vote Aye. Those opposed vote Nay. The voting is open.
13. Have all voted who wish? Have all voted who wish? Take
14. the record. The sponsor requested further consideration
15. on the motion to override the item veto be postponed. It
16. will be placed on the Order of Postponed Consideration.
17. Senator Egan, are you ready...Senator Egan on the Floor?
18. Well. Senator Washington. Is there leave to go to the
19. Order of Specific Recommendations for Change? Leave is
20. granted. Senate Bill 23. For what purpose Senator Graham
21. arise?

22. SENATOR GRAHAM:

23. I rise on a point of personal privilege, Mr. President.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. State your point, Senator.

26. SENATOR GRAHAM:

27. In the gallery immediately behind you, is a gal that
28. made her first trip to Springfield since I was elected twenty
29. years ago. I refer to her as "baby sister". She retired from
30. the Elgin School System after serving thirty-five years. She's
31. not very big, but she's kind of powerful and she was large
32. enough in a couple of times that when her school went on
33. strike, "baby sister" went through the picket line. I'd like

1. for her to stand and be recognized by the Senate. My sister,
2. Betty Nelson. She's...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Please stand and be recognized by the Senate. Read the
5. motion, Mr. Secretary, on Senate Bill 23, please.

6. SECRETARY:

7. I move to accept the Specific Recommendations of the
8. Governor as to Senate Bill 23 in the manner and form as
9. follows. Signed, Senator Washington.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Washington is recognized.

12. SENATOR WASHINGTON:

13. Mr. President and members of the Senate. The Governor
14. struck three items from a five item bill which comprised
15. Senate Bill 23. He struck, first of all, that Section which
16. allows anyone objecting to the issuance or denial of a
17. currency exchange license to petition for a hearing. That
18. would come after the fact of hearing and issuance of a
19. license and 23 provided that it would have an additional
20. shot at it after the license was granted. The Governor in
21. striking that item maintained that due process would not be
22. violated to deny such a hearing and also that that would...
23. it would encumber the procedure and cause unnecessary delay
24. and cost. And I concur in that reasoning. He struck further
25. an item which requires the director to conduct public hearings
26. before Rules and Regulations, et cetera and so forth. He felt
27. that that language was redundant and not all inclusive and that
28. House Bill 4, which he signed into law provided that all...
29. all agencies were subject to the Administrative Procedure Act
30. which set out in detail, notice, et cetera and so forth. He
31. struck last of all a requirement for setting up procedures
32. for rate hearings and he struck that because Senate Bill 440
33. also provided in more detail for the same aspect of that bill.

1. So all in all, these are good Item Vetoes and I concur the
2. vetoes and urge your cooperation.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there further discussion? The question is, shall the
5. Senate accept the Specific Recommendations of the Governor as
6. to Senate Bill 23 in the manner and form as just stated by
7. Senator Washington. Those in favor vote Aye. Those opposed
8. vote Nay. The voting is open. Have all voted who wish?
9. Have all voted who wish? Take the record. On that question,
10. the Ayes are 55, the Nays are None. None Voting Present.
11. The Specific Recommendations of the Governor as to...Senate
12. Bill 23 having received the required majority vote of Senators
13. elected are declared accepted. Senator Egan. We...we have
14. earlier considered Item Vetoes on Senate Bill 752. Would you
15. wish to take that up at this time? The membership is aware,
16. at least, of 752 or would you want to go with 13. Senator
17. Egan.

18. SENATOR EGAN:

19. Yes, I'd...I'd, at this time, we might just as well take
20. that line item on 752.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Okay. On the Order of Item Vetoes is Senate Bill 752.
23. Senator Egan has filed a motion. Will the Secretary please
24. read the motion.

25. SECRETARY:

26. I move that the item on page 10, lines 24 through 30
27. of Senate Bill 752 Do Pass the Item Veto of the Governor to
28. the contrary notwithstanding. Signed, Senator Egan.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Egan.

31. SENATOR EGAN:

32. Thank you, Mr. President and members of the Senate.
33. When I filed this motion it was my understanding that the

1. Governor was in support of this override. I've checked now
2. and find that that is not the fact. ...are we certain about
3. that because I was told that, to the contrary, it is the
4. continuation of the funding through the University of
5. Illinois for the Police Training Institute, which has done
6. a marvelous job in police training for police throughout the
7. State. And all this does in continue that program and I...I
8. that's the reason I filed the motion because it was my under-
9. standing that the program...the Governor did not want to
10. discontinue the program as his veto indicated. And with that
11. I commend the override to you.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there further discussion? Senator Grotberg.

14. SENATOR GROTEBERG:

15. A question of the sponsor.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Indicates he will yield. Senator Grotberg.

18. SENATOR GROTEBERG:

19. Senator (machine cutoff) is this relating to the
20. consistently underfunded program that all of our local units
21. of government send police to the training academy and the
22. reimbursement to them is supposed to be fifty percent and
23. it's been in the area of thirty-five or forty percent for
24. some years. Is this the item that would bring it up to a
25. full fifty percent?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Egan.

28. SENATOR EGAN:

29. This money is for the University of Illinois.

30. SENATOR GROTEBERG:

31. This is not reimbursement money for the local units of
32. government then?

33. SENATOR EGAN:

1. To the best of my knowledge, it is not. I'm trying to
2. find on page 10 in the item and I can't do it so I don't
3. have the right bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)
5. Senator Grotberg.

6. SENATOR GROTEBERG:
7. I was having the same trouble. It's not in there. It's
8. not in the Message, per se and...well, we've got two...two
9. lawyers here that can solve all of this. It...

10. PRESIDING OFFICER: (SENATOR BRUCE)
11. For what purpose Senator Egan rise?
12. SENATOR EGAN:
13. No, it is not reimbursement money. This money goes
14. to the University directly.

15. PRESIDING OFFICER: (SENATOR BRUCE)
16. Senator Grotberg. Further discussion? Senator Rhoads.
17. SENATOR RHOADS:
18. Senator Egan, was the original one hundred and twenty-
19. one thousand that we're talking about, was that in the budget?
20. PRESIDING OFFICER: (SENATOR BRUCE)
21. Senator Egan.
22. SENATOR EGAN:
23. Well, I have conflicting reports on that. I...I am told
24. yes and I am told no. So...
25. PRESIDING OFFICER: (SENATOR BRUCE)
26. Senator Rhoads.
27. SENATOR RHOADS:
28. I am speaking of last Spring.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Senator Egan.
31. SENATOR EGAN:
32. I understand the question, but I've...if the Bureau of
33. the Budget was here, we could get an answer. I am told that

1. it was in the budget by my leadership and...and there's a
2. conflicting report from your leadership. So...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Rhoads.

5. SENATOR RHOADS:

6. Well, Senator Egan, I...I think I'm trying to help you
7. out. I'd like to support you on this, but we...is there any
8. way we can get a definite answer and...and still consider this
9. today?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Egan, would you like to take it from the record
12. or do...would you wish to proceed? Senator Egan.

13. SENATOR EGAN:

14. Yes, I'll...I'll make that attempt. I will take it from
15. the record and...

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there leave to remove this motion from the record?
18. There is leave. Senator Egan, you had another motion that
19. you asked. On the Order of Total Vetoes is Senate Bill 1312.
20. The motion has been filed by Senator Egan. Read the motion,
21. please, Mr. Secretary.

22. SECRETARY:

23. I move that Senate Bill 1312 Do Pass the veto of the
24. Governor to the contrary notwithstanding. Signed, Senator
25. Egan.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Egan is recognized.

28. SENATOR EGAN:

29. Thank you, Mr. President and members of the Senate.
30. Senate Bill 1312 would afford the same opportunity to veterans
31. in addressing their educational needs to both public and
32. non-public schools. It affords them the same opportunity
33. to use the scholarship in a non-public school as it presently

1. does in a public school. Now, obviously the Governor vetoed
2. it entirely on the issue of cost and I must point out that
3. his estimate of the minimum cost at two and a half million
4. is in excess of the figures that have been given me by the
5. ...by the Federation of Independent Colleges. They tell me
6. that the cost is less than the Governor's estimated minimum.
7. Currently, many non-public schools are dropping off in
8. enrollment and this is going to cause some of them some
9. peril and even the possibility of closing. They are seeking
10. this override because they feel that some of the dropoff in
11. enrollment is due to the fact that veterans from the Viet Nam
12. war cannot use their scholarship money in non-public schools
13. and I commend the override to you.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there debate? Senator Mitchler.

16. SENATOR MITCHLER:

17. Mr. President and members of the Senate. Senate Bill
18. 1312 did get favorable support when it was heard in this
19. Body originally and I believe the veterans recognize that
20. they were very kind to them in supporting Senate Bill 1312
21. to give them the option of using a State Veteran Scholarship
22. in private institutions as they now do in the State institutions.
23. However, with the money that is available to the State at this
24. time, we're talking about a new program that would cost the
25. State in an amount that is undeterminable at this time. I think
26. that Senator Egan is correct in saying that the amounts that
27. are estimated, the two to four million dollars, whatever it
28. comes to is rather high because I do not believe that if 1312
29. is enacted into law that the veterans will be clamoring to use
30. this provision to go to private colleges and...and schools in
31. Illinois because of this reason. If they're eligible under the
32. Veterans' Scholarship Program, they'll take it under the G.I.
33. Bill and it's much more lucrative to them and it can be extended

1. to these schools. And they don't have to avail themselves
2. of the...of the Illinois Veteran's Scholarship. But with the
3. tightness of the money in the budget at this time to extend
4. this privilege, which I know the veteran is very appreciative
5. of it. It had my support originally and I think that it's
6. not going to be a major thing for them. It's not going to
7. to a...depriving a veteran of his scholarship because the
8. Illinois Veteran Scholarship Commission is very good to the
9. veteran in providing them with scholarships and helping them
10. in our State institutions. This just allows them, maybe, to
11. go to a...university or college closer to their home and
12. help them in that way. But I do not think you have to ask
13. for the whole loaf all the time and I would go along in the
14. area of austerity and with the condition the budget is in now
15. looking at the veteran is given many, many benefits by the
16. State of Illinois and I would support the Governor's Line
17. Item Veto in reducing this amount at this time. When we
18. have a little more money just like our public schools, I...in
19. ...in other areas that we're very much inclined to mandate
20. our commitments to, I think we can go back and pick this up
21. at a later date. And I would urge you to support the Governor's
22. Reduction Veto on this.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Glass.

25. SENATOR GLASS:

26. Well, thank you, Mr. President and Ladies and Gentlemen.
27. I think Senator Mitchler has very well stated the concerns of
28. ...of me, I know, and I think many of us on...voting to sustain
29. the Governor on...on this override. It...it is difficult because
30. certainly of our strong feeling of a need to favor veteran's
31. in every way possible. But I would add to what Senator Mitchler
32. said, only this additional argument that the Governor makes and
33. I think it's a good one. He points out that under our Illinois

1. State Scholarship Commission veterans are already favored for
2. aid purposes because they are considered emanipated from
3. their parents in determining financial need and as a result
4. nearly all veterans are presently eligible for the maximum
5. award of fifteen hundred and fifty dollars to attend a non-
6. public college or university.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Well, I guess if all that's true there's no need to
11. worry about the override because they'll be using those
12. scholarships and we've already appropriated that money and
13. ...and they'll be going to the public universities and they're
14. emanipated and so forth. But there is one thing you haven't
15. considered and that's the veteran that lives in the area where
16. there isn't a...a public institution who wants to take an
17. education while he works and stay, maybe, near his family.
18. Now, I just happen to have that kind of an area and some of
19. you fellows on the other side of the aisle may have that same
20. kind of an area, too. I have an area where we have only two
21. junior colleges in the area where...where we are and we have
22. Western Illinois University at Macomb. But, you know, we're
23. not blessed with public universities in West Central Illinois
24. like some of the other areas of this State and I would like to
25. see the veteran, if he can't afford the scholarship thing that...
26. and that won't make any difference whether it comes out of the
27. right pocket or the left pocket, if he takes it from here he
28. isn't going to be taking it from the scholarship fund. So that
29. ...that argument is blasé. It doesn't mean anything. But
30. what about the boy that lives in Jacksonville wants to go to
31. MacMurray or Illinois College or the boy that lives in Quincy
32. and, say, if you haven't seen these maps of West Central
33. Illinois, it says Quincy where, how do you get there? Now

1. how about that boy? He can go to Quincy College, stay with
2. his family and hold a job, but he can't go to Western, which
3. is seventy or eighty miles away. And maybe some of the rest
4. of you are in the same type of a situation. I say this is
5. good legislation, if he uses the veteran's scholarship he's
6. not going to be using the scholarship award you're talking
7. about and it's not costing the State of Illinois one single
8. red cent more.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further discussion? There's been leave set by the
11. Highland News Leader to take a couple of pictures for a
12. journalism class. Is there leave? Leave is granted. Senator
13. Hickey.

14. SENATOR HICKEY:

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

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Indicates he will yield. Senator Hickey.

18. SENATOR HICKEY:

19. Exactly how many dollars are we talking about per veteran
20. that is compared to the fifteen hundred dollar from the
21. Scholarship Commission?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Egan.

24. SENATOR EGAN:

25. The amount is less than three hundred dollars as...as
26. it's computed. It's an average amount so it's somewhere in
27. the area of three hundred dollars.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Hickey.

30. SENATOR HICKEY:

31. And the veteran can't get that and get the Scholarship
32. Commission money, too? Well, why on earth wouldn't he go
33. for the Scholarship Commission money and be lots better off?

1. Talking about the veteran, I mean...

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Egan.

4. SENATOR HICKEY:

5. ...the State. We'd be better off to have him take the
6. three hundred and leave. But why wouldn't he...why wouldn't
7. he choose to go the other direction, particularly, if he
8. gets preference and consideration.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Egan.

11. SENATOR EGAN:

12. They are not mutually exclusive. However, if he does
13. not get the amount from the Scholarship Commission this is
14. something he can get and all we're doing is affording him
15. the same opportunity that he has presently in the public
16. schools. Now, the...to say that he can get that money from
17. the Scholarship Commission because of his emancipation
18. he can already do that in the public school. This allows
19. him just the same opportunity in the private schools and
20. the important thing is that there are decreasing enrollments
21. in private schools and this is an attempt by the Independent
22. Federation of Colleges to thwart that decrease in enrollment.
23. So, it really...it's...it's yes, it's...it's new money but
24. it's...it's no different than what is currently in...available
25. for veterans who wish to use that money in public schools.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further debate? Senator Soper.

28. SENATOR SOPER:

29. Thank you, Mr. President. Now, I don't know whether I
30. understood what you said about the availability if he got
31. the fifteen hundred and fifty dollars, if he could also take
32. the three hundred dollars you're talking about. Could he
33. take both?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Egan.

3. SENATOR EGAN:

4. Yes, they are not exclusive, mutually. They are, you can...
5. if he can get both he can...he can do it now. This is nothing
6. new, Senator. He can do it now.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Soper.

9. SENATOR SOPER:

10. Well, if he can do it now, then why do you need the bill?

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Egan.

13. SENATOR EGAN:

14. Well, because he wants to use this money in a private
15. school, which he cannot now do. He can do it now for use
16. in a public school. He now wants to use the money in a
17. private school, but he can't. That's why we have the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Soper.

20. SENATOR SOPER:

21. Well, then what you said that he can do it now, he can
22. do it now, but not in the private school. That's what you
23. meant. Well, seems to me that if he...if some decide that
24. they want to get the fifteen hundred and fifty and the
25. three hundred they're going to deprive somebody else of
26. getting that fifteen hundred and fifty dollars where he
27. wants to go a private school because one of the funds is
28. going to run out.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Egan.

31. SENATOR EGAN:

32. No. That is not so. What we're doing is providing
33. this money through this bill so that that doesn't happen.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Egan may close.

3. SENATOR EGAN:

4. Well, I think enough has been said. I'd ask that you
5. support me in overriding the veto.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Question is, shall Senate Bill 1312 pass the veto to...
8. of the Governor to the contrary notwithstanding. Those in
9. favor vote Aye. Those opposed vote Nay. The voting is open.
10. Have all voted who wish? Have all voted who wish? Take the
11. record. On that question, the Ayes are 33, the Nays are 15.
12. 1 Voting Present. The motion to override the Total Veto of
13. the Governor having failed to receive the required three-fifths vote
14. is declared lost. Senator Philip, on 1302, are you ready to
15. proceed? On the item...on the Order of Item Reduction is
16. Senate Bill 1302. Senator Philip has filed a motion. The
17. Secretary will read the motion, please.

18. SECRETARY:

19. I move that the items on page 1, line 20 through 26
20. of Senate Bill 1302 be restored the Item Reduction of the
21. Governor to the contrary notwithstanding. Signed, Senator
22. Philip.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Philip, have you filed two motions on this
25. particular bill? Senator Philip.

26. SENATOR PHILIP:

27. Yes, I did. The first one I filed was incorrect.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. All right. The Chair will have...Senator Philip is
30. recognized on Senate Bill 1302, Item Reduction and Restoration.

31. SENATOR PHILIP:

32. Thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. Senate Bill 1302 is the regular appropriation for the

1. Space Needs Commission. Some two point five million dollars.
2. The Governor put a line item reduction of seven hundred and
3. fourteen thousand and four hundred and twenty-seven dollars.
4. His rationale was he did not have the bonding authority. Since
5. then he has got the bonding authority. We've talked to the
6. Governor's Office. They have agreed to accept the seven
7. hundred and fourteen thousand four hundred and twenty-seven
8. dollars, which would bring us right back where we were before
9. we started. So I ask for your favorable consideration.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? Senator Netsch.

12. SENATOR NETSCH:

13. A question of the sponsor. This is for land acquisition
14. for the Capitol Complex and it's part of the old, more or less,
15. agreed upon plans for acquiring that land, which is going to
16. be necessary in the future. Is that correct?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Philip.

19. SENATOR PHILIP:

20. Senator Netsch, that's absolutely correct.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Further debate? Senator Philip may close.

23. SENATOR PHILIP:

24. I just ask for a favorable roll call, Mr. President.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. The question is, shall the item on page 1, lines 20
27. through 26 of Senate Bill 1302 be restored the Item Reduction
28. of the Governor to the contrary notwithstanding. Those in
29. favor vote Aye. Those opposed vote Nay. The voting is open.
30. Have all voted who wish? Have all voted who wish? Take the
31. record. On that question, the Ayes are 46, the Nays are 1.
32. 5 Voting Present. The item on page 1, lines 20 through 26
33. to Senate Bill 1302 having received the required majority

1. vote of Senators elected is declared restored the Item
2. Reduction of the Governor to the contrary notwithstanding.
3. Is there leave for Channel 17 to take pictures of the proceedings?
4. Leave is granted. Senator Lemke, indicated to the Chair that
5. you wish to call all of your motions, the Total Vetoes at
6. this time. On Senate Bill 206, Senator Lemke has filed a
7. motion to override the Veto of the Governor. The Secretary
8. please read the motion.

9. SECRETARY:

10. I move that Senate Bill 206 Do Pass the Governor's Veto
11. to the contrary notwithstanding. Signed, Senator Lemke.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Lemke is recognized.

14. SENATOR LEMKE:

15. I ask for the...to override this veto. I think the
16. Governor was ill-advised by his staff 'cause when we
17. originally passed this bill we talked to the people from
18. the Industrial Commission and people from the Commerce
19. Commission. We also had the support of the trucking
20. industry and the Teamsters. Was a joint effort. The
21. problem we have here, is we have out of State truckers
22. coming in, getting I.C. permits who do not have to compete
23. fairly and...and because of the insurance on Workmen's
24. Compensation. Employees are injured and they're not
25. compensated in the State of Illinois and what we're doing
26. here is asking that we put some teeth in...with the Industrial
27. Commission. And...and the reason I feel the Governor was ill-
28. advised is because, if he will look at the...if he...if his
29. staff have looked at the Workmen's Compensation Insurance Laws
30. he would find out that a policy can't...an insurance policy
31. can't be cancelled or compliance with the industrial can't
32. be cancelled for at least fifteen days after the Industrial
33. Commission is notified. It can't be cancelled the next day.

1. I think that someone on the staff is ill-advised of the...
2. in fact, they did not check with the...Commissioners on the
3. Industrial Commission and the...and the Commerce Commission.
4. And they didn't...check with the trucking industry or with
5. the laborer that...Teamsters. and I think that we should
6. override his veto.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Further discussion? The question is, shall Senate Bill
9. 206 pass the Veto of the Governor to the contrary notwith-
10. standing. Those in favor vote Aye. Those opposed vote Nay.
11. The voting is open. Have all voted who wish? Have all voted
12. who wish? Take the record. On that question, the Ayes are
13. 30, the Nays are 19. None Voting Present. The motion to
14. override having failed to receive the required three-fifths
15. vote is declared lost and the Veto of the Governor is sustained.
16. Senate Bill 949, Senator Lemke. Senator Lemke, 949? All
17. right, read the motion, Mr. Secretary, on Senate Bill 949.

18. SECRETARY:

19. I move that Senate Bill 949 Do Pass the Veto of the
20. Governor to the contrary notwithstanding. Signed, Senator
21. Lemke.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Lemke is...Could we have some order, please.
24. Senator Lemke.

25. SENATOR LEMKE:

26. This is a bill to prohibit the advertisement of surgical
27. procedures. I think the Governor has been ill...ill informed
28. about the Bigelow case. I think our bill with the amendment
29. by Senator Philip, which was drawn up by Saul Morse does...
30. puts our Act outside the Bigelow case because it does let the
31. medical profession give out information about surgical
32. procedures. I think it's a...a bill that's needed because I
33. think the State of Illinois has the right to regulate medical

1. procedures in its own State and I think the courts have
2. spoken and I ask for an override of this veto.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Philip.

5. SENATOR PHILIP:

6. Yeah, I have a question of the sponsor.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Indicates he will yield. Senator Philip.

9. SENATOR PHILIP:

10. What was the rationale for the Governor vetoing this,
11. Senator?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Lemke.

14. SENATOR LEMKE:

15. (Machine cutoff) was that a...a Supreme Court decision,
16. which was the Bigelow case in Virginia, which prohibits the
17. advertising of abortions in...unconstitutional. But in the
18. Bigelow case there was no provision for the giving out of
19. information by the medical profession and...and our bill
20. we have that provision in...in the...in there and so I
21. don't think the bill...the Bigelow case applies and I think
22. that the State...the State of Illinois has the right to
23. regulate who gives out information about surgical procedures,
24. which is abortion and...and other things. I think that's
25. within the purview of the State.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Philip.

28. SENATOR PHILIP:

29. Thank you, Senator Lemke. You've refreshed my memory
30. and I certainly with your bill in a concept. I think we ought
31. to stop the advertising for...for these abortion clinics. It's
32. very distasteful. It doesn't serve any purpose, but yet you
33. allow a doctor to pass out pamphlets that explain abortion,

1. which I think is...is good. So I would certainly going to
2. support you on this.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Mitchler.

5. SENATOR MITCHLER:

6. Well, Mr. President and members of the Senate. It's my
7. understanding that Chapter 38, paragraph 81 through 17 already
8. makes it unlawful to advertise any Act, which would be in
9. violation of the Illinois Abortion Law. Now, reading into
10. the Governor's Veto Message, it would appear that what he's
11. attempting to do is to override what we attempted to put into
12. law to outlaw any advertising or dissemination of information
13. about the Illinois Abortion Law what is legal. I, too, find
14. as Senator Philips does, a lot of these types of advertising
15. for abortions to be offensive. But Illinois does have an
16. abortion law that makes it legal under certain conditions
17. to have an abortion performed in the State of Illinois and
18. until that law is changed and is upheld by the courts there
19. should be no reason why information cannot be put out to the
20. public about the availability of the Illinois Abortion Law
21. procedures. Now, anything beyond that, beyond that, naturally,
22. I don't think that this Body or anybody would condone. But I
23. believe the Governor's Veto Message covers that portion, but
24. points out that paragraph 81 through 17 of Chapter 38 already
25. makes it unlawful to advertise any Act that would be in violation
26. of the Illinois Abortion Law. Now, maybe somebody can expound
27. more on my statement there, but it would appear that the
28. Governor's Veto Message is in conformity with the present Statute
29. and what we really intend to have available to the people.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Glass.

32. SENATOR GLASS:

33. Well, thank you, Mr. President and Ladies and Gentlemen.

1. I would...would echo Senator Mitchler's comment and just
2. commend to the membership the Governor's Veto Message,
3. which is short and, I believe, right on the point. He
4. does note that the U.S. Supreme Court has held unconstitutional
5. a ban on advertising of abortion procedures and it notes that
6. the State could not prohibit advertising, which disseminated
7. useful information about a personal constitutional right
8. recognizing that the State may not suppress the dissemination
9. of information about lawful activities even though conceivably
10. of a commercial nature. So I think the veto is on point and
11. on constitutional grounds should be sustained.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Lemke.

14. SENATOR LEMKE:

15. Well, the veto is not on point, Senator Glass, and I
16. answer to Senator Mitchler. What we're trying to do with
17. this bill is to regulate and addresses itself strictly to
18. the giving out of medical information which should be in...
19. be under the control of the Department of Registration, be
20. under the control of men that have passed an examination
21. and become physicians. And this is what we're doing here.
22. We're saying that the State has the right to regulate medical
23. professions, which is purely in the State's interest. We're
24. not addressing itself, we're not...limiting the giving out
25. of information. But this information, if it's given out,
26. will be given by a man who is licensed to practice in the
27. medical professions in this State. I think it's purely
28. within the State's rights to do this. I don't think the
29. Federal Government wants to regulate the medical profession
30. and I think this is in...in the State's realm and what
31. we're doing here is saying that you can't advertise surgical
32. procedures, but if you're a licensed doctor you can give out
33. information about this procedure and...and this is what we're

1. doing. This is what the amendment, which was drafted by
2. Saul Morse and put on by Senator Philip does and I think
3. it's purely within the purview of...the realm of the State
4. of Illinois to regulate the medical profession and that's
5. why I think the Governor's Veto is...is...is...should be
6. overridden and I do not think anything we do here, as far
7. as regulating the medical profession, is unconstitutional
8. because the States have that right.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Walsh. Senator Shapiro.

11. SENATOR SHAPIRO:

12. Well, Mr. President and Ladies and Gentlemen of the Senate.
13. What Senator Lemke said about the regulation of the medical
14. professions and that in the State of Illinois was certainly
15. true up until recent months. But...what I would like to point
16. out in...in addition to the Supreme Court ruling on abortions,
17. the F.T.C. is also ruled that professions can advertise and
18. in the next year or so you're going to see physicians, dentists,
19. attorneys advertising and posting their fees in newspaper ads,
20. on the radio and on television. The physicians, the medical
21. profession will be advertising surgical procedures and I...I
22. don't see how, under court decisions and the decision of the
23. Federal Trade Commission, that we can pass a law that would
24. be constitutional in this particular area. I happen to be
25. opposed to abortion on demand. I'm going to support the
26. override of House Bill 333, but I cannot support this bill
27. because of what has happened in recent months.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further debate? Senator Berman.

30. SENATOR BERMAN:

31. Thank you, Mr. President. I rise in opposition to the
32. motion. I think that the bill was a bad bill when...when we
33. passed it. It is tampering with an area which is prohibited,

1. as far as our power to tamper and that is freedom of speech.
2. I think that it's within the purview of our citizenry to
3. have available to it any and all information, which it desires
4. to have. I think that we are on very thin ground, in fact
5. unconstitutional ground, when we try to restrict availability
6. of information. There is a freedom of free speech. I think
7. that this bill walks in the face of that freedom and I'm
8. going to oppose the motion to override.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Further debate? Senator Lemke may close.

11. SENATOR LEMKE:

12. I do not think this bill is unconstitutional and I do
13. not think it limits free speech. What I think the bill does
14. is regulate who can give out information about abortions. And
15. I think that's what the bill is trying to do. As far as the
16. advertisement of...of surgical procedures, if the medical
17. profession wishes to advertise surgical procedures, they are
18. licensed physicians. They will give out the proper information
19. about surgical procedures. I don't think this bill prohibits
20. that from happening because the amendment that was put on to
21. allow doctors to give out information is purely a good amend-
22. ment and takes the...takes it out of the realm of the Bigelow
23. case. I disagree with the Supreme Court decision about advertise-
24. ments, but if you look into that Supreme Court decision, which
25. talks about advertisements, you look into the legal professions,
26. you will find that they ruled on the basis that it...it's a
27. restraint of trade by a particular profession. And this is what
28. they ruled on. They didn't say that it was perfectly right to
29. advertise, but they...moved that a group could not get together
30. in...in restraint of trade and set fees and...and prohibit the
31. advertisement. I...I think that it was a bad decision for the
32. legal professions. A bad decision for the medical profession.
33. But I think that the State in this bill, and this is what we're

1. saying, it is ruling a constitutional activity. It's saying
2. something that's good for...for us and says that we should
3. regulate the giving out of information and if it's given out
4. then let the medical profession give out this information.
5. And that's what the bill does. I ask for an override.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The question is, shall Senate Bill 949 pass the Veto of
8. the Governor to the contrary notwithstanding. Those in favor
9. vote Aye. Those opposed vote Nay. The voting is open. Have
10. all voted who wish? Have all voted who wish? Take the record.
11. Senator Lemke has asked leave to postpone further...consideration
12. of the motion. Is there leave? Leave is granted. The motion
13. will be placed on the Order of Postponed Consideration. Senator
14. Vadalabene.

15. SENATOR VADALABENE:

16. Yes, thank you, Mr. President and members of the Senate.
17. I rise on a point of personal privilege.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. State your point.

20. SENATOR VADALABENE:

21. Yes, seated in the East gallery along with their instructor,
22. Mr. Al Lewis, is part of the Granite City High School South class
23. and I would like for them to stand and be recognized.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Would they please stand and be recognized by the Senate.
26. On the Order of Total Vetoes is Senate Bill 980. Senator
27. Graham for what purpose do you arise?

28. SENATOR GRAHAM:

29. I would not rise to indicate to the members of the Senate,
30. Mr. President, that that little blonde baby right up over your
31. head is my granddaughter. Number 1 granddaughter.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. We were wondering here, Senator Graham, why you were acting

1. so proud out there. Now we're...now we know. Read the motion,
2. Mr. Secretary, on Senate Bill 980, please.

3. SECRETARY:

4. I move that Senate Bill 980 Do Pass the Veto of the
5. Governor to the contrary notwithstanding. Signed, Senator
6. Lemke.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Lemke is recognized.

9. SENATOR LEMKE:

10. I ask for the override of the Governor's Veto. What
11. this does is to ask that State money will be allowed to
12. repair and maintain grade crossings. I think it's a good
13. bill and I think it's...should be overridden and I think that
14. the maintenance course can be absorbed without putting a
15. burden on the Grade Crossing Protection Fund. So I ask for
16. an override.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion? The question is, shall Senate Bill
19. 980 pass the Veto of the Governor to the contrary notwithstanding.
20. Those in favor vote Aye. Those opposed vote Nay. The voting is
21. open. Have all voted who wish? Have all voted who wish? Take
22. the record. On that question, the Ayes are 33, the Nays are...
23. 19. 1 Voting Present. The motion having failed to receive the
24. required three-fifths vote is declared lost and the Veto of the
25. Governor of Senate Bill 980 is sustained. Senator Knuppel, you
26. wish to consider the veto on Senate Bill 126? On the item
27. Total Vetoes. Read the motion, Mr. Secretary, please. 126.

28. SECRETARY:

29. I move that Senate Bill 126 Do Pass the Veto of the Governor
30. to the contrary notwithstanding. Signed, Senator Knuppel.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Knuppel is recognized.

33. SENATOR KNUPPEL:

1. This is not the greatest bill in the world as far as
2. the problem is concerned because it...there were fifty-two
3. of the sex gender bills and the Governor, I think, signed
4. about thirty-five of them and vetoe about sixteen. We've
5. checked them very carefully and only Senate Bill 126, we
6. feel, left something to be desired in that...in making the
7. veto the Governor said that House Bill 661 did the same
8. thing. It, in fact, did not do the same thing. The House
9. Bill 661 in the language did not include the term, creed or
10. handicap, and in our Constitution we do have, there will
11. be no discrimination in housing and employment with respect
12. to...with respect to the handicapped. So we tried to conform
13. the language in all of the different situations so that it
14. included language...referring to sex, creed or handicapped
15. and in...in this one instance someone checking the bill,
16. apparently, was in error because House Bill 661 does not
17. include the language, creed or handicap. I would suggest,
18. therefore, that 126 be adopted and notwithstanding the
19. Governor's Veto so that the bills are consistent. That was
20. the purpose of the bills and to correct gender and handicap
21. problems. I would appreciate a favorable roll call.
22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there discussion? The question is, shall Senate Bill
24. 126 pass the...the Veto of the Governor to the contrary not-
25. withstanding. Those in favor vote Aye. Those opposed vote
26. Nay. The voting is open. Have all voted who wish? Have all
27. voted who wish? Take the record. On that question, the Ayes
28. are 56, the Nays are None. None Voting Present. Senate Bill
29. 126 having received the required three-fifths vote is declared
30. passed the Veto of the Governor to the contrary notwithstanding.
31. For what purpose Senator Vadalabene rise?

32. SENATOR VADALABENE:

33. It's on a point of personal privilege, please.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. State your point.

3. SENATOR VADALABENE:

4. The second half of the Granite City South High School
5. class now is in the East gallery. We recognized the first
6. half and I would appreciate if we would give the second half
7. the same recognition.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Would the students please stand and be recognized by
10. the Senate. Is there leave to go to the Order of Postponed
11. Consideration? Leave is granted. Senator Johns on Senate
12. Bill 39. Senator Johns.

13. SENATOR JOHNS:

14. Thank you, Mr. President. There's been a great deal of
15. misconception by many people in this Senate about this particular
16. bill. I noticed the similarity of accusations yesterday. I
17. noticed that they thought this was, particularly, just beneficial
18. to certain counties in Illinois. That bothered me a great deal
19. and I agonized over it last night and I wondered why you failed
20. to understand that under Illinois...under it's land mask we
21. have coal under eighty...we have coal under eighty percent of
22. the State of Illinois. Eighty percent. Many of your counties
23. in the future, under the energy crisis, is going to be mining
24. coal. You're going to have the problems that we have and you're
25. going to be looking back and saying, Senator Johns fought
26. seven years for this particular bill and we didn't recognize
27. that he was on the thresh of what other States are doing.
28. He didn't...he didn't back off for a moment and now you're
29. going to regret it. The State of Illinois deserves repayment
30. for the loss of this resource. And what is wrong with Southern
31. Illinois because it has huge wealth in that particular field
32. of a natural resource. That God given resource. What's wrong
33. with Southern Illinois being able to obtain some benefits from it.

1. It's like telling Chicago that you can't draw water from Lake
2. Michigan. The revenue from this Act is five percent of the
3. gross value or thirty cents a ton, whichever is greater.
4. Kentucky brought home last year, one hundred and twenty-three
5. million dollars from this very type of legislation, which I
6. studied under their auspices and brought home to Illinois for
7. its benefit. I seek twenty-seven to thirty-four million
8. dollars per year into loss of this resource. We peddled
9. thirty-six million tons of coal a year out of Illinois into
10. twenty-two other States. Whether you realize it or not, you
11. are subsidizing other States because they are charging us
12. taxes as they peddle coal into Illinois. Thirty-six million
13. tons. On the one-third of the coal used in our State we pay a
14. tremendous tax. Many of you are located in the Northern
15. regions of Illinois and whether you realize it or not, you are
16. paying a dollar seventy-three cents per ton on all the coal used
17. from Montana by Commonwealth Edison. A dollar seventy-three
18. cents per ton. And mind you, this coal has a low B.T.U. and
19. as I told you, for every four cars of Montana coal we could
20. get the B.T.U.'s in three cars from Illinois. I want this
21. money to go back to the counties, naturally, from where the
22. coal is severed, for they have the problems that are inherit
23. in this...in the taking of the coal from us. Illinois, whether
24. you know it or not has a hundred years of coal left. Yet one-
25. half each year is being shipped out of this State. Coal
26. production will increase two hundred and seventy-five percent
27. by 1985. What's that going to do to our State and our counties?
28. We look for a hundred and sixty-five million tons per year by
29. 1985. We have forty-four percent more coal in Illinois than
30. any other State. Ninety-five percent of our coal is left. We
31. have a hundred and forty-eight billion tons. Fifty years ago
32. the coal companies bought leases at fifty cents per acre to
33. a dollar a ton per acre. They are reaping huge profits today

1. from this and why not have the operator's pay. Here's another
2. point that you're overlooking. They don't want to pay the
3. State of Illinois, for when they make profits it goes to the
4. Federal Government who takes a third before they ever give
5. back anything to this State. What about production? Mr.
6. President, may I have just a little quiet? Well, he's not
7. listening either. He's got something else on his mind up
8. there. But what about production? The Congressional Record
9. will tell you very plainly that in not one single incident
10. under the Severence Tax imposed on other states has there
11. caused a decrease in production. At no time can I tell you
12. of a decrease. Sixteen states have it. Last year another
13. state ratified it and made it into a law. Has production
14. faltered? Not one single case. Mr. President, can we get a
15. little order, please, back here? He'll be one of the first
16. screaming about us not paying attention to his bill.
17. As I told you, the operators were not up-tight about the
18. Severence Tax. They told me so. They wanted Senate Bill 281.
19. That's passed. Now watch production soar. Watch your mines
20. be built. Then what are you going to have? You're going to
21. have pollution. You're going to have broken down bridges, roads,
22. et cetera. Huge coal trucks hauling forty tons of coal, for
23. instance, will break down our highways, but I as a cosponsor
24. was glad to see 281 passed. Last year Colorado passed its
25. first Severence Tax. Sixty cents per ton of service mined coal.
26. States throughout the United States are realizing now the impact
27. on local government. It cost them four thousand dollars per
28. person moving into that community. North Dakota's new tax
29. calls for sixty-five cents a ton on coal.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Johns, your...

32. SENATOR JOHNS:

33. Yes, Mr. President...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. ...time has expired.

3. SENATOR JOHNS:

4. ...I agree.

5.

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8. (END OF REEL)

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1. SENATOR JOHNS:

2. What is the limit on time, did you have it on me?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Johns, I did a stop watch and you started five
5. minutes and fifty-four seconds ago.

6. SENATOR JOHNS:

7. And...five minutes ago?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Five minutes and fifty-four seconds.

10. SENATOR JOHNS:

11. How time does fly when you're working on something
12. you believe in. Thank you, Mr. President. I'll
13. answer any questions.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? Is there discussion?

16. SENATOR JOHNS:

17. May I conclude?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Johns may close.

20. SENATOR JOHNS:

21. You know the greatest resource in Illinois is not
22. coal. I love coal very much, been wedded to it all
23. my life. But our greatest resource, Ladies and Gentlemen,
24. is our young people. Now you think this is funny, but
25. it's very serious. Will you give me your attention a
26. minute, Mr. President.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. May we have some order, please.

29. SENATOR JOHNS:

30. Our greatest resource is our young people. Young people
31. are having a difficult time in finding employment in
32. southern Illinois. It's simply because we do not have
33. the financial strength that I seek from this bill. With

1. this great resource, the second greatest resource in Illinois,
2. rebuilding our communities and our county governments, and
3. so forth, we can entice them to stay. And that is one resource
4. being utilized to maintain the greatest resource. All of our
5. young people are forced to come north and leave our State
6. from southern Illinois because there's not anything there in
7. the way of employment. But this money would circulate through-
8. out that community and that county and enable us to keep
9. that other greatest resource, the young people of southern
10. Illinois. It would enable us to rebuild our hospitals, our
11. bridges, our roads, our highways, whatever have you. All
12. joking aside, you can laugh at me all you want to, but I
13. think this is one of our greatest bills. And in conclusion,
14. last evening when I left here in proposing this bill, the
15. Governor had me in his office. Mr. President, can we get
16. this right here just a moment.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Senator Donnewald and Senator Buzbee, if we could...
19. Senator Johns has asked leave.

20. SENATOR JOHNS:

21. May I have it just a moment. He asked me to come
22. to his office on another matter, specifically prisons,
23. a third prison. And as we talked thereafter we concluded
24. our testimony about the third possible prison. He
25. said, Gene I just didn't have time to amend your bill
26. properly because as I told you yesterday, I went to
27. him before we passed the bill and I said, if you've
28. got problems with this bill, give me your... your... your
29. amendments to make the bill right. Whatever you think
30. is wrong with it, give me your idea. He said, I didn't
31. have time. Now, Ladies and Gentlemen, he says let's
32. work on it next Session. That's not bad, but we've
33. got countless hours in committee work and testimony on

1. this bill now. If enacted, it goes into law the second
2. month following its enactment. That would be in January
3. and we could start addressing ourselves to correcting
4. the ills of this bill that you might see. And I say that
5. we need to override it, put it on the books, make it
6. better next Session. I don't see a thing wrong with
7. that idea. Now, I conclude, I agree you've been most
8. gracious and I now ask for a favorable roll call. Thank
9. you, Ladies and Gentlemen.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The question is shall Senate Bill 39 pass the Veto
12. of the Governor to the contrary notwithstanding. Those
13. in favor vote Aye. Those opposed vote Nay. The voting is
14. open. Have all voted who wish? Now, have all voted who
15. wish? All right. Have all voted who wish? Take the
16. record. On that question the Ayes are 34, the Nays are
17. 18, 2 Voting Present. The motion having failed to
18. receive the required three-fifths vote is declared lost
19. and the veto of the Governor is sustained. Senator
20. Buzbee on 834, are you ready to proceed? On the Order
21. of Total Vetoes is Senate Bill 834. Can you read...would
22. you read the motion please, Mr. Secretary.

23. SECRETARY:

24. I move that Senate Bill 834 Do Pass the Veto of the
25. Governor to the contrary notwithstanding. Signed, Senator
26. Buzbee.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Thank you, Mr. President. Senate Bill 834, which
31. required all State agencies to analyze the cost of energy
32. consumption of each planned construction or renovation
33. project over the economic life of that facility was

1. vetoed by the Governor in September. The Governor cited
2. unclear and ambiguous language in the bill, duplication
3. of efforts, jurisdictional problems and added financial
4. cost is the basis for his veto. He further stated that
5. certain aspects of life cycle costing analysis were
6. being performed by the Capital Development Board in
7. accordance with Chapter 127 of the Illinois Revised
8. Statutes. And this bill was passed by both Houses
9. in the original form in which it was introduced. It...
10. the bill, the Governor, in fact, endorsed the bill as
11. introduced by the commission in his energy message to
12. the General Assembly on April the 6th, 1977. In that
13. message the Governor stated, on the conservation side
14. there are at least fourteen bills proposed by the
15. Energy Resources Commission that are desirable with
16. relatively minor amendments. I will sign them if
17. the General Assembly passes them. Senate Bill 834
18. passed the Senate 49 to nothing and it passed the House
19. 147 to nothing, so I guess my question is Governor,
20. we did our work, how come you didn't do yours. If
21. he thought there were some technical errors, which
22. we don't believe there are, if he thought there were
23. some technical errors he could have made changes in
24. those technical errors with his Amendatory Veto.
25. However he chose not to do that. He chose to exercise
26. his right of Total Veto and so at this point I would
27. ask that we override the Governor's Veto.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? The question is shall Senate
30. Bill 834 pass the Veto of the Governor to the contrary
31. notwithstanding. Those in favor vote Aye. Those opposed
32. vote Nay. The voting is open. Have all voted who wish?
33. Have all voted who wish? Take the record. On that question

1. the Ayes are 34...Senator Buzbee.

2. SENATOR BUZBEE:

3. Mr. President, we seem to be completely partisan today.
4. Same vote keeps appearing and I'm going to ask that this
5. be postponed because I'm sure that there are some of my
6. Republican colleagues that are going to see the error
7. of their ways and...and vote later on today to override
8. this veto.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. All right. The motion to override the veto will
11. be placed on the Order of Postponed Consideration.
12. Senator Merlo. For what purpose does Senator Rock
13. arise?

14. SENATOR ROCK:

15. I was going to suggest, as long as we're on the
16. Order of partisan roll calls, I've filed a Motion
17. in Writing.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. And what do you wish to do with it, Senator Rock.

20. SENATOR ROCK:

21. Well, I...I would like to have the motion considered
22. at this point.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there leave to go to the Order of Motions?
25. Leave is granted. The Secretary will read the motion.
26. What purpose does Senator Vadalabene arise? Oh. The
27. Secretary will read the motion.

28. SECRETARY:

29. Motion in Writing, I move to reconsider the vote
30. by which the item on page 6, lines 11 through 14, of Senate
31. Bill 752 Do Pass the Item Veto of the Governor to the
32. contrary, notwithstanding, passed. Signed, Senator Rock.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Rock is...is recognized.

2. SENATOR ROCK:

3. Thank you, Mr. President and Ladies and Gentlemen
4. of the Senate. This is a motion to reconsider the
5. vote by which we restored the Item Veto. I would ask
6. for a favorable roll call. The Wabash Valley Commission
7. in...in the amount of twenty thousand dollars.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The motion is to reconsider the vote by which the
10. item on page 6, lines 11 through 14, of Senate Bill 752
11. was restored. Require 30 affirmative votes. Those
12. in favor vote Aye. Those opposed vote Nay. The
13. voting is open. Have all voted who wish? Have all
14. voted who wish? Take the record. Wait a minute. On
15. that question the Ayes are 33, the Nays are 19, the
16. Motion to Reconsider prevails. And the item is before
17. the Senate. Senator Bowers.

18. SENATOR BOWERS:

19. Ask for verification of the roll call.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. There's been a request for verification. The Senators
22. please be in their seats. The Secretary will call the names
23. of those who voted in the affirmative.

24. SECRETARY:

25. The following voted in the affirmative: Berman, Buzbee,
26. Carroll, Chew, Clewis, Collins, D'Arco, Daley, Demuzio,
27. Donnewald, Egan, Guidice, Kenneth Hall, Hickey, Joyce, Knuppel,
28. Kosinski, Lane, Lemke, Leonard, McMillan, Maragos, Merlo, Netsch, Newhouse,
29. Rock, Sangmeister, Savickas, Smith, Vadalabene, Washington,
30. Wooten, Mr. President.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Bowers, do you question the presence of any of
33. those who voted in the affirmative?

34. SENATOR BOWERS:

1. Senator Chew.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Chew on the Floor? Senator Chew is at Senator
4. Washington's desk. Others? All right. Roll call has
5. been verified. On that question the Ayes are 33, the Nays
6. are 19, none Voting Present. The Motion to Reconsider
7. the restoration...to reconsider the Item Veto prevails
8. and...the question is before the Senate again. Senator
9. Vadalabene, for what...Senator Merlo. It seems that
10. everytime we get to you Senator Merlo, the Chair
11. interrupts you, I apologize again. On Senate Bill 60,
12. Senator Merlo has filed...3...3...2 motions. Secretary
13. will read Motion No. 1.

14. SECRETARY:

15. I move that the...to accept the Specific Recommendations
16. of the Governor as to Senate Bill 60 in the manner and form
17. as follows. Signed, Senator Merlo.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Merlo is recognized.

20. SENATOR MERLO:

21. Mr. President, this motion accedes to the Specific
22. Recommendations of the Governor which was made in
23. concert with the Bar Association, the Governor and myself.
24. And what it does, is puts into conformity with the other
25. bill for...

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Excuse me, Senator Merlo. Could we have some order
28. please. Senator Merlo.

29. SENATOR MERLO:

30. ...that were passed yesterday, 18 bills. And the
31. one change, of course, had made the effective date,
32. January 1st, 1978 and a provision insuring that this
33. act shall not affect the validity of any instrument
34. recorded prior to the effective date of the act.

1. And I move, Mr. President, that we accept the Specific
2. Recommendations of the Governor on this particular
3. motion.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Any further discussion? Question, Senator Netsch?

6. All right. Any further debate? The question is shall

7. the Senate accept the Specific Recommendations of the

8. Governor as to Senate Bill 60 in the manner and form

9. as put forward in the Motion No. 1 by Senator Merlo.

10. Those in favor vote Aye. Those opposed vote Nay.

11. The voting is open. It will require a three-fifths

12. vote since an effective date other than July 1st is

13. put forth in the...in the veto. Have all voted who

14. wish? Take the record. On that question the Ayes

15. are 53, the Nays are 1, none Voting Present. The

16. Specific Recommendations of the Governor as to Senate

17. Bill 60, having received the required majority votes

18. of Senators elected are...as indicated in the motion,

19. are declared accepted. Motion No. 3. Read the motion

20. Mr. Secretary, please.

21. SECRETARY:

22. I move that Senate Bill No. 60 Do Pass the Specific

23. Recommendations of the Governor asking that lines 29

24. through 31 on page 1 and lines 1 through 3 on page 2

25. be deleted, to the contrary notwithstanding. Signed,

26. Senator Merlo.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Merlo.

29. SENATOR MERLO:

30. Mr. President and members of the Senate. Senate

31. Bill 60, as was passed out of this Chamber, had a provision

32. which permits home rule units to enact condominium ordinances

33. so long as such ordinances are not less restrictive than

1. the State Condominium Property Act. This motion this
2. afternoon is a Motion to override a Specific Recommendation
3. of the Governor on Senate Bill 60. The Governor requested
4. that the home rule provision in this Condominium Act
5. be deleted His rationale was that this provision does
6. not resolve the issue of what areas of the Condominium
7. Property Act are within the government and affairs of
8. the home rule unit. This is true, however, this was
9. not the intent of this provision. The issue of what
10. is within the purview of a home rule unit, government
11. and affairs, is left to the courts, as it has been and
12. as it should be. This package has had bipartisan
13. sponsorship and the provision at issue were the results
14. of a...bipartisan effort. All this provision does and
15. all that this provision was designed to do, was to
16. clarify the relative powers of the local units and the
17. State with respect to the exercise of concurrent jurisdiction.
18. I think that the Governor was misinformed. This attempt
19. to override the Governor is an agreement with Representative
20. Telcser, who is the House sponsor of these bills, and I
21. move that we now...vote in the affirmative to override
22. the Governor's Veto on this portion of Senate Bill 60.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Bowers.

25. SENATOR BOWERS:

26. Will sponsor yield to a question?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Indicates he will yield. Senator Bowers.

29. SENATOR BOWERS:

30. Senator Merlo, it seems to me, as I read the Veto
31. Message here, there are about three or four different
32. items that he discusses in the Veto Message and...and
33. you discussed in your motion to override only one of

1. those 3 or 4 items, being the last one mentioned in the
2. Veto Message. What about the other 2 or 3?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Merlo.

5. SENATOR MERLO:

6. The previous motion that we just passed prior to
7. taking up this issue was those that directed themselves
8. to the effective date and of course those that also
9. related themselves to anything prior to the effective
10. date of the Act, any regulations. No, we already
11. passed that, Jack. We acceded to that portion of it.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Bowers.

14. SENATOR BOWERS:

15. So the only thing you're asking in this particular
16. motion is to override that portion that relates to
17. home rule units. Is that correct?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Merlo.

20. SENATOR MERLO:

21. This is absolutely correct.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Bowers. Further questions? Senator Netsch.

24. SENATOR NETSCH:

25. Thank you, Mr. President. As Senator Merlo knows,
26. I am just as anxious as he is to have some good condominium
27. legislation on the books because this is a problem that
28. is very serious in my area as well as...as in his and
29. many other parts of Chicago. I think the unfortunate
30. position that we're in right now is that we're not presented
31. with an absolutely perfect choice, whether we accept the
32. Governor's suggestion to strike this language or overrule
33. that as...as Senator Merlo's present motion does. I think

1. on balance I agree with him that we are better off doing
2. it the way he has suggested, but I think it...it is going
3. to be a little confusing and so I'm going to state what
4. I think will be the impact of this and if it's correct,
5. would you accede and if not would you correct me, Senator
6. Merlo. What we are saying here is that the State has
7. now legislated on the subject of condominiums. There
8. is still a large area left which home rule units may
9. also legislate on, with respect to condominiums, as a
10. part of their home rule grant. That is, whatever
11. area is part of the government and affairs of the home
12. rule unit, may..they may still legislate on themselves
13. directly. We are not in any way preempting the general
14. authority of home rule units. We are, in fact, saying
15. that this is...concurrent legislation. However, under
16. Section 6 of Article 7, the State may say, even when it
17. is legislating concurrently, that there are particular
18. standards or limitations that a home rule unit must observe
19. when it does legislate concurrently. In this language,
20. we are now saying, that those minimum standards or limitations
21. are that you may not enact legislation which is any less
22. restrictive than we have already provided in the Condominium
23. Act. So long as you meet that limitation, you are free to
24. legislate on the subject of condominiums to whatever extent
25. the home rule grant already authorizes. Now there may be
26. some matters that are so much outside of the home rule
27. grant that...that the home rule units can't legislate anyway,
28. but there clearly are some matters that they could cover
29. as part of the home rule grant that they may continue to do
30. so long as they meet the minimum limitations set out in
31. this concurrent piece of State legislation. Is that an
32. accurate statement, Senator Merlo?
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Merlo.

2. SENATOR MERLO:

3. That is a very accurate statement, Senator Netsch.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Netsch.

6. SENATOR NETSCH:

7. Right. I think on that basis then, I think Senator
8. Merlo is absolutely correct in having made this motion
9. and I think we should concur with his recommendation
10. that we reject the Governor's striking of this language.
11. I believe that it would leave it in a state of a great
12. deal more confusion if we did not follow Senator Merlo's
13. request.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there further debate? Senator Merlo may close.

16. SENATOR MERLO:

17. I ask for a favorable roll call, Mr. President and
18. members.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. The question is shall Senate Bill 60 pass the Specific
21. Recommendations of the Governor to the contrary notwithstanding
22. as set forth in the motion: Those in favor vote Aye. Those
23. opposed vote Nay. The voting is open. Have all voted who
24. wish? Have all voted who wish? Take the record. The
25. sponsor has requested that further consideration of the
26. motion to override a Specific Recommendation as stated in
27. the motion be postponed. Is there leave? Leave is granted.
28. Senator Knuppel, are you ready on 622 and 1012? Mr. Secretary,
29. please read the motion file on Senate Bill 1012.

30. ACTING SECRETARY: (MR. FERNANDES)

31. I move that Senate Bill 1012 Do Pass the Veto of the
32. Governor to the contrary, notwithstanding. Signed, Senator
33. Knuppel.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Knuppel is recognized.

3. SENATOR KNUPPEL:

4. Mr. President and members of the Body. Senate Bill 1012
5. was designed to correct a disparity between two different
6. qualified groups who do identical work. It was to provide
7. that court reporters for the Industrial Commission be paid
8. the same salaries as court reporters and it's set up a
9. standard of measurement to be used and that was to use the
10. ...if they had the same degree of qualification to use
11. the payment that was used for court reporters. Now, I'll
12. tell you, Gentlemen, our Industrial Commission is getting
13. in very bad shape and part of it is due to reporters. I
14. had a case yesterday in Peoria that had to go to commission.
15. We tried the case in May, it was heard before the Commissioner
16. yesterday in November. Took that long to get the transcript
17. out because these cases are badly...these people are badly
18. overworked. Felletti from Rockford will come to Ottawa
19. with as many as a hundred and twenty cases to be heard and
20. many of them are being repealed by the insurance companies
21. because they realize that it's going to take virtually
22. a year now. The first hearing day I could get in Chicago
23. to argue this case was April the 15th. It was heard in
24. May of this year. Now, the only thing in the Veto Message
25. says that this is a breakdown of the tertiary powers
26. under the Constitution. It says the Legislator, the Executive
27. and Judicial Branches are separate. No branch shall exercise
28. power properly belonging to another. There is not one power
29. in this bill to be exercised by the Judiciary. It...the
30. payment to court reporters in...in the Judiciary is determined
31. and all this does is set that as a measuring stick. There's
32. no way that this comes under the Judiciary, the salaries are
33. appropriated under the budget of the Industrial Commission

1. and Gentlemen, if anything the court reporters with the
2. Industrial Commission have a tougher time than those with
3. the courts. They...the League of Women Voters ran a
4. check in Quincy of the use of the court rooms. They found
5. that court rooms were unused two hours and thirty-six
6. minutes a day. Two hours and thirty-six minutes. There
7. are very few appeals in court where there are a lot of
8. appeals in the Industrial Commission and I submit to you
9. that I don't know any Industrial Commissioner or any
10. reporter for him who's getting away with two hours and
11. thirty-six minutes of work a day. Gentlemen, this is
12. a badly needed, a badly needed bill to attract competent
13. court reporters to the Industrial Commission. Those
14. people's problems are oftentimes under the new Workmen's
15. Compensation Law, larger and graver because there are injuries
16. to working people who are...are and have to be unemployed.
17. And they have to wait as long as I say as a year, and
18. a large, a large part of that is due to the overload of
19. the commissioners, but some of it, it's also due to getting
20. transcripts. If the Industrial Commissioner is over... arbiter
21. overworked, his court reporter can't take the time that's
22. necessary in order to prepare these transcripts. I submit
23. that there wasn't one case cited in the...in the veto and
24. that there is no breakdown between the Judicial and Executive
25. Branch merely because you pay a court reporter in one branch
26. of government the same salary that's been fixed for one
27. in another. This veto should be overridden. It should be
28. overridden for the very purpose of getting efficiency
29. out of our Industrial Commission, which is handling far
30. more cases than our courts and working much longer. I
31. would request a favorable roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there further debate? Senator Rhoads.

1. SENATOR RHOADS:
2. Just one question of the sponsor, if he'll yield.
3. PRESIDING OFFICER: (SENATOR BRUCE)
4. Indicates he will yield.
5. SENATOR RHOADS:
6. ...Senator Knuppel.
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Senator Knuppel...Senator Rhoads is asking a question. Senator
9. Rhoads.
10. SENATOR RHOADS:
11. Setting aside the merits of...of the Governor's Veto
12. Message relative to the intermingling of the branches of
13. the government and setting aside the...the merits of a
14. ...of a pay raise for these people, which I think might
15. be merited, why do you feel that it's desirable to tie
16. those two together?
17. PRESIDING OFFICER: (SENATOR BRUCE)
18. Senator Knuppel.
19. SENATOR KNUPPEL:
20. There's one market on court reporters. They all go
21. to school, they come out. They can either go to work for
22. a court, they can go into their own business as a private
23. reporter, and that's where the very best ones are, or they
24. can go to work for one of the commissions. These people
25. work harder, they have the same...have to have the same
26. qualification. I know of no reason to pay two people
27. to do the same job with the same qualifications, both
28. of whom are eating out of the public troth, a different
29. salary.
30. PRESIDING OFFICER: (SENATOR BRUCE)
31. Further discussion? The question is shall Senate
32. Bill 1012 pass the Veto of the Governor to the contrary,
33. notwithstanding. Those in favor vote Aye. Those opposed

1. vote Nay. The voting is open. Have all voted who wish?
2. Have all voted who wish? Take the record. On that
3. question the Ayes are 36, the Nays are 4, 1 Voting Present.
4. Senate Bill 1012 having received the required three-fifths
5. vote is declared passed. The Veto of the Governor to
6. the contrary notwithstanding. Senator Knuppel, on 622.
7. Read the motion, Mr. Secretary.

8. SECRETARY:

9. I move that Senate Bill 622 Do Pass the Veto of the
10. Governor to the contrary notwithstanding. Signed, Senator
11. Knuppel.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Knuppel is recognized.

14. SENATOR KNUPPEL:

15. The veto on Senate Bill 622 is a little bit more complicated
16. than the other vetoes that I've had here this morning. Senate
17. Bill 622 was designed to do two things primarily. One is to
18. require that when a salesman comes up to you to sell a health
19. insurance policy, that when he offers you the cancelable policy
20. that he also offer you an alternative, and that is to purchase
21. a non-cancelable policy. The second thing the bill was
22. designed to do was to spell out what preexisting condition
23. in...in a health insurance policy...meant. Now the Governor
24. vetoed this bill, let me tell you, Gentlemen, that when the
25. bill was introduced I went through the Department of Insurance.
26. I dealt with the insurance companies, I accepted some amendments
27. from the insurance company and I did put on all the amendments
28. that were asked of me by the Department of Insurance. The
29. bill went through both Houses and lay on the Governor's Desk
30. and then for some reason, those in the Department of Insurance
31. changed their minds about the bill. Now the second thing
32. the bill was to do, was to define, as I say, what...what a
33. preexisting condition in a policy. What happens then is the veto

1. says that, in effect, the Department of Insurance has already
2. taken care of all these things. Well it was strange when the
3. bill was going through that they told me it was a good bill,
4. that they could support it in the form it was put in, but
5. after it passed. Sometime between the time it left the
6. Legislative Body and the time it got on the Governor's
7. Desk, somebody changed something in the Department of
8. Insurance. Now Gentlemen, they say they've got Rule 2001,
9. which takes care of the non-cancelable situation and they've
10. got Rule 2005 which takes care of the preexisting condition
11. one. Now if those things are good enough for rules which
12. can be changed at the whim of the Director of Insurance,
13. they're good enough to be law. This is good consumer
14. legislation to protect that man and so help me, during the
15. period of time since the Governor vetoed this, I've had
16. two problems. I have never had more problems, except
17. marital problems in my twenty seven years of practicing
18. law than I've had with...with preexisting conditions in
19. insurance policies and cancelable policies. One man had
20. paid his premium for seventeen years, seventeen years,
21. and they come along and they say, okay, you're getting
22. old enough; now, they didn't say you're getting old enough,
23. but that's what really happened, they canceled him. Number
24. two on the disability, some fellow had a...life...had a
25. policy on a trailer and the insurance company is arguing
26. that he had a preexisting condition. Now Gentlemen, I
27. submit to you that this law ought of been on the books
28. long ago. It's good legislation. The reasons...given
29. in...in this veto that the Governor's...that the Governor's
30. people have taken care of it by rules in the Department
31. of Insurance gives little solace or protection or
32. confidence to anyone, particularly when they were contacted
33. and this bill could pass through...both Bodies of...both
34. Houses of the General Assembly and then someplace between

1. here and the Governor's Office, there was a change of heart.
2. I submit this is good legislation. It's legislation, and I
3. don't want to say it, that...that somebody talked to somebody,
4. but I'm afraid that's what must have happened between the
5. time it left here. And I hate to say this, but I've said
6. it on the Floor before, if there's one Department of
7. Insurance in the whole United States that's a patsy for
8. the insurance industry, it's in the State of Illinois.
9. Every director we have leaves that office to go to the
10. insurance companies or when they select them they come
11. from the insurance company. This is consumer legislation.
12. Any of you that's been following the articles in The
13. Tribune and...and The Peoria Journal Star know that we
14. need this kind of legislation, we can't just leave it
15. to rule which can be changed at the whim of the director.
16. If it's a good rule, it's good Statute, it should be
17. enacted. The Governor's Veto should be overridden and
18. I request a favorable roll call.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? The question is shall Senate
21. Bill 622 pass the Veto of the Governor to the contrary,
22. notwithstanding. Those in favor vote Aye. Those opposed
23. vote Nay. The voting is open. Have all voted who wish?
24. Have all voted who wish? Take the record. On that question
25. the Ayes are 48, the Nays are 3, 2 Voting Present. Senate
26. Bill 622 having received the required three-fifths vote
27. is declared passed, the Veto of the Governor to the contrary
28. notwithstanding. Senator Leonard on Senate Bills 959
29. and 960. Read the motion, Mr. Secretary. On Senate Bill 959.

30. SECRETARY:

31. I move that Senate Bill 959 Do Pass the Veto of the
32. Governor to the contrary notwithstanding. Signed, Senator
33. Leonard.

34. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Leonard.

2. SENATOR LEONARD:

3. Mr. President, this is a appropriation for three million,
4. three hundred and fifty thousand dollars to put a breakwater
5. in Waukegan. It would lead to the installation of some
6. eight hundred slips. This is not a recreational bill. This
7. is a bill of commerce and industry. This is a major industry
8. coming into our community. We have done a study by Economic
9. Research Associates that indicates the return to Illinois
10. would be appreciable. In the first year, Illinois would
11. get back more than two million dollars in taxes and it
12. would get better than a million dollars in taxes back
13. each year thereafter. That comes back in terms of the
14. salaries paid for construction, the taxes on equipment.
15. There will be a certain number of permanent jobs around
16. the marina. There will be a great sale of boats and
17. fuel that will bring in revenue for our area, will bring
18. in tax money for the State of Illinois and it will do
19. good things for our area in way of increasing property
20. values and property in...in the area. This is very
21. important for my community, for the entire Lake County
22. region. The money is there and I ask passage and will
23. answer any questions there might be.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? The question is shall Senate
26. Bill 959 pass the Veto of the Governor to the contrary
27. notwithstanding. Those in favor vote Aye. Those opposed
28. vote Nay. The voting is open. Have all voted who wish?
29. Have all voted who wish? Take the record. On that
30. question the Ayes are 34, the Nays are 18, 2 Voting Present.
31. The sponsor has requested further consideration of the motion
32. be postponed. It will be postponed. Senate Bill 960.
33. Read the motion, Mr. Secretary.

1. SECRETARY:

2. I move that Senate Bill 960 Do Pass the Veto of the
3. Governor to the contrary notwithstanding. Signed, Senator
4. Leonard.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Leonard is recognized.

7. SENATOR LEONARD:

8. This is a fifty thousand dollar appropriation and it
9. would be for repairs from the previous Winter to the
10. Waukegan Harbor. I think everybody in the room is familiar
11. with it and I ask passage.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there debate? The question is shall Senate Bill 960
14. pass the Veto of the Governor to the contrary notwithstanding.
15. Those in favor vote Aye. Those opposed vote Nay. The voting
16. is open. Have all voted who wish? Have all voted who wish?
17. Take the record. On that question the Ayes are 35, the Nays
18. are 16, 1 Voting Present. Senator Leonard has asked leave
19. to postpone consideration. The motion to override the veto
20. will be placed on the Order of Postponed Consideration.
21. Senator Vadalabene. On Senate Bill 413. Read the motion,
22. Mr. Secretary. The motion is on the Order of Postponed
23. Consideration. It's been earlier read by the Secretary.
24. Senator Vadalabene is recognized.

25. SENATOR VADALABENE:

26. Yes, thank you, Mr. President and members of the Senate.
27. Well Senate Bill 413 would prohibit...prohibit the collection
28. of tax on the used aircraft which is currently being collected
29. in the State of Illinois. This bill has had an extensive
30. hearing. It was called the other day and it was...and was
31. discussed. However, there has been some situations that have
32. come to me where people have asked or...or have indicated that
33. this airplane aviation gas could be used for other colors.

1. There are the safeguards, or other uses. There are safeguards
2. in this...in this aviation gasoline, such as, the color is
3. red and it is green, it cannot be used in motor vehicles.
4. There is no way that the...the cars could use this type
5. of gasoline, and last but not least, it retails at a price
6. of ninety-five cents a gallon. In my opinion, the money
7. that is left out in the...State of Illinois after the
8. administration costs are included, in my opinion, would
9. not build a bicycle path about a mile. So what we're
10. talking about is an unfair tax on these airplane pilots.
11. House Bill 1183, the House version of the same bill, has
12. be overridden in the House and I think that we should
13. do our duty, our responsibility of removing this unjust
14. tax here in the Senate with a Senate bill so that we
15. can send our Senate bill version over to the House and
16. I would appreciate a favorable vote.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there further discussion? The question is shall
19. Senate Bill 413 pass the Veto of the Governor to the
20. contrary notwithstanding. Those in favor vote Aye.
21. Those opposed vote Nay. The voting is open. Have all
22. voted who wish? Have all voted who wish? Take the
23. record. On that question the Ayes are 36, the Nays
24. are 13, 1 Voting Present. Senate Bill 413 having received
25. the required three-fifths vote is declared passed the
26. Veto of the Governor to the contrary notwithstanding.
27. For what purpose does Senator Johns arise?

28. SENATOR JOHNS:

29. Having voted on the prevailing side, I move to
30. reconsider the vote by which...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Johns moved to reconsider the vote. Senator
33. Vadalabene moves...moves that that motion lie upon the Table.

1. All in favor say Aye. Opposed Nay. The Ayes have it,
2. the motion to reconsider is Tabled. Senator Carroll
3. on 705. Mr. Secretary, Senate Bill 705. Please read
4. the motion.

5. SECRETARY:

6. I move that Senate Bill 705 Do Pass the Veto of
7. the Governor to the contrary notwithstanding. Signed,
8. Senator Carroll.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Carroll is recognized.

11. SENATOR CARROLL:

12. Thank you, Mr. President, Ladies and Gentlemen of
13. the Senate. The Governor acted in error, I believe,
14. when he vetoed Senate Bill 705. This bill was to
15. provide the reimbursement from 1975 to the County of
16. Cook for the mandated payment to the probation
17. officers. We mandate three hundred a month for each
18. employee of that particular department. When the
19. fiscal budget came in for the reimbursement, they
20. ended up short by about a month and a half to two
21. months toward the end of that fiscal year. After that
22. the county went to the State's Attorney, Bernie Carry,
23. who filed suit in the Court of Claims to get that monies
24. that are mandated from the State. The Court of Claims
25. said that since it was not an appropriation bill,
26. they could not make an award against...they can only
27. make it against a lapsed appropriation. The comptroller
28. attempted to put in a supplemental budget and it was
29. never acted upon by the General Assembly. It was
30. then deemed that the way to go was to put in a bill to
31. pay back or reimburse this monies that are mandated by
32. State law to be paid by the State, the county putting
33. up the money in front and getting it back through the

1. State appropriation process. I would answer any questions
2. and would ask for a favorable roll call.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Weaver.

5. SENATOR WEAVER:

6. Question of the sponsor.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Indicates that he will yield. Senator Weaver. Could
9. we have some order please. Senator Netsch.

10. SENATOR WEAVER:

11. Senator Carroll, why were the downstate counties left
12. out of this appropriation to the tune of about ninety-five
13. thousand?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Carroll.

16. SENATOR CARROLL:

17. As I told you, Senator Weaver, and when we discussed
18. this earlier and for the edification of the rest of the
19. membership, apparently what has happened is that the other
20. counties combined are probably entitled to an amount
21. of ninety-five thousand. They have not made a request of
22. the General Assembly for reimbursement of that money. That
23. is a guesstimate of what they would be entitled to under
24. this mandated program and I would just like to indicate
25. to you that there would be substantial support for those
26. reimbursements should those counties determine what that
27. amount is and put in legislation for that effect. I'd
28. be very happy to support it.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Weaver.

31. SENATOR WEAVER.

32. This for fiscal '75 you say?

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Carroll.

2. SENATOR CARROLL:

3. It's for the months of May and June of 1975, which
4. would have been the end of FY '75. This is correct.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further discussion? The question is shall Senate
7. Bill 705 pass the Veto of the Governor to the contrary
8. notwithstanding. Those in favor vote Aye. Those opposed
9. vote Nay. The voting is open. Have all voted who wish?
10. Have all voted who wish? Take the record. On that
11. question the Ayes are 34, the Nays are 14, 4 Voting
12. Present. Sponsor has requested that further consideration
13. of his motion be postponed. It will be placed on the
14. Order of Postponed Consideration. Senator Lemke, you
15. ready to proceed on 967? Read the motion, Mr. Secretary,
16. on Senate Bill 967.

17. SECRETARY:

18. I move that Senate Bill 967 Do Pass the Veto of
19. the Governor to the contrary notwithstanding. Signed,
20. Senator Lemke.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Lemke is recognized.

23. SENATOR LEMKE:

24. I think this bill is a good bill. It gives those
25. industries that put in safety programs credit, give
26. them a fifteen percent reduction. And had the...we picked
27. the realm of fifteen percent. The insurance industry was
28. so much against it that we notice why, because of the
29. recent court decision, they're overcharged already fifteen
30. percent. And as far as the insurance industry leaving the
31. State, this is a lot of blarney because they didn't leave
32. the State when we put the safe...safe driving credit on
33. automobiles when a youngster went to school and I don't
34. think they're going to leave the State for putting a fifteen

1. percent credit on industries that put in good safety
2. programs and go without losses and protect their fellow
3. employees and cut their rates. I think this is the kind
4. of business they want and I think this is the kind of
5. business that the good companies will keep in further
6. reward. I ask for an override of this veto.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Is there further discussion? The question is shall
9. Senate Bill 967 pass the veto of the Governor to the
10. contrary notwithstanding. Those favor vote Aye. Those
11. opposed vote Nay. The voting is open. Have all voted
12. who wish? Have all voted who wish? Take the record.
13. On that question the Ayes are 32, the Nays are 19, none
14. Voting Present. The motion having failed to receive
15. the required three-fifths vote is declared lost and
16. the veto of the Governor is sustained. Senator...for
17. what purpose does Grotberg arise?

18. SENATOR GROTEBERG:

19. An inquiry of the Chair.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. State your inquiry. Does anyone want to share with
22. the Body the plan for the day.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. No.

25. SENATOR GROTEBERG:

26. Thank you.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Now, Senator Grotberg, we have done very well since
29. starting at 9:00 and we continuing on. There are several
30. Senators that have requested that their veto motions be
31. considered. We only have two more to dispose of and we
32. will consult with the President as to what we will do
33. then. We have several bills that have come over from

1. the House which we wish to read a first time and have
2. referred to the Rules Committee and so that the Secretary's
3. Office can start their work and not be working all night,
4. but otherwise if the Senators do not wish to call their
5. bills on motions for vetoes, we will have concluded at
6. least the...the business of this Session and we'll go
7. into the Special Sessions. Senator Buzbee on the Floor?
8. Senator Buzbee has asked that his motion on Senate Bill 437
9. be considered. Read the motion, Mr. Secretary.

10. SECRETARY:

11. I move that...the item on page 1, line 11 of Senate
12. Bill 437 be restored the Item Reduction of the Governor
13. to the contrary notwithstanding, Signed, Senator Buzbee
14. and Vadalabene.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Buzbee is recognized.

17. SENATOR BUZBEE:

18. Thank you, Mr. President. This is the FY '78
19. appropriation to Southern Illinois University. You'll
20. recall, we passed this bill out of this Body at about
21. four hundred thousand dollars, four hundred and forty
22. thousand dollars over the Governor's recommended level.
23. That money was to be used for additional pay increases
24. of an additional one-half percent and additional contractual
25. services and commodities. The motion that I have filed
26. only deals with the Line Item on personal services.
27. So the total fiscal impact would be three hundred, sixty-four
28. thousand, four hundred dollars. I've left out the...the
29. other two items. And this money would be used by the
30. University at both Carbondale, Edwardsville and Springfield,
31. for the purpose of additional pay increases primarily
32. for those low paid Civil Service employees who are...who
33. are at the very bottom of the rung, who are in some cases,
34. two to three hundred dollars a month less than their brothers and
35. sisters in the State of Illinois employee who fall under

1. the Personnel Code. And I would ask your favorable consideration.
2. Senator Vadalabene has joined me in this. As I said, the money
3. would be split between the three campuses and I would ask for
4. your favorable consideration.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Weaver.

7. SENATOR WEAVER:

8. Well, thank you, Mr. President. I presume that all of
9. us who handle university bills could have filed on personal
10. services. We all took varying degrees of cuts of unbudgeted
11. items. It's...it would be easy for me to introduce an
12. override of about nine hundred and forty-eight thousand
13. dollars of personal service money that was lost at the
14. university, but it was my understanding that there was some
15. agreement between the Board of Higher Education and all
16. systems. That each and every system would take a certain
17. reduction. Now certainly, had I filed a motion to restore
18. it would have been the highest item, like I say about nine
19. hundred and forty-eight thousand. So I think that we've
20. tried to treat higher education in all systems equally and
21. I...I think it's wrong for us to consider one system without
22. considering all systems. So I would, at this point, object
23. to the override for the restoration of this money.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there further discussion. Senator Buzbee may close.

26. SENATOR BUZBEE:

27. Well, Senator Weaver is absolutely right in that he
28. did not file an override attempt. I, in fact, asked him
29. and...and asked him if he would file an override attempt
30. for the University of Illinois. I happen to believe
31. we ought to have gone for all four of them, all four
32. systems. In fact, it was my intention originally and I
33. announced my intentions quite some time ago that I was

1. going to go for this override. It was my intention originally
2. to file an Override Motion on all four of the higher education
3. university systems, if the prime sponsors decided not to. I
4. since decided not to do that since the other systems indicated
5. they did not want an override attempt made. I'd like to
6. point out to you that I...do not work for Southern Illinois
7. University. I don't work for the system. I don't take my
8. orders from them. I work for the constituents of my district.
9. And it's my belief that the constituents of my district would
10. like to have this additional money brought to Southern
11. Illinois University, so therefore I did not consult with
12. the system at SIU, other than to tell them. I told them that
13. I was going to file an override attempt. Nobody has screamed
14. that I shouldn't do such. I don't quite frankly know what
15. the system feeling is, except I do know that the Carbondale
16. Campus Administration is in favor of this and I believe
17. that the system is in favor of it. I don't...I was not
18. aware of any agreement that was made among the various
19. systems that they would not go for an override. I know
20. that higher education has not been getting its fair
21. shake, moneywise, for about the last seven years and I'm
22. trying every way that I can to see that we get additional
23. monies for our university, so we can...remain a major
24. force in the higher education community in this nation.
25. Which I know just yesterday, President Corbally of the
26. University of Illinois, I heard him on the radio, say that...that
27. the University of Illinois as well as other universities in
28. this State were in such a financial bind that he did not think
29. we were going to be able to keep up quality wise with...with
30. other universities in country and so I persist in my motion.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. The question is...Senator Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President, and Ladies and Gentlemen of
2. the Senate. I rise briefly in support of the motion to
3. restore the amount reduced and I would suggest to the members
4. on both sides of the aisle, especially this side of the
5. aisle, that the question really is, who's in charge here.
6. Is it the Board of Higher Ed or us? I would suggest that
7. we're in charge.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further debate? The question is, shall the item on
10. page 1, line 11 of Senate Bill 437 be restored, the Item
11. Reduction of the Governor to the contrary notwithstanding.
12. Those in favor vote Aye. Those opposed vote Nay. The
13. voting is open. Senator Lemke, can you come to the
14. podium, please. Have all voted who wish? Have all voted
15. who wish? Take the record. On that question the Ayes
16. are 35, the Nays are 19, 2 Voting Present. The item on
17. page 1, line 11 of Senate Bill 437 having received the
18. required majority vote of Senators elected is declared
19. restored. The Item Reduction of the Governor to the
20. contrary notwithstanding. For what purpose does Senator
21. Graham arise? Can we have some order, please, Gentlemen.
22. Senator Graham.

23. SENATOR GRAHAM:

24. Point of personal privilege.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. State your point, Senator.

27. SENATOR GRAHAM:

28. For the purpose of an introduction, Mr. President and
29. members of the Senate. In the gallery immediately behind
30. the President is Carol Reea , Carrie Louwisie and Ken
31. Vogel from the Lake Park High School, Roselle, Illinois.
32. I'd like to...for them to stand and be recognized by the
33. Senate.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Would our guests please stand and we recognized by
3. the Senate. What purpose does Senator...Senator Egan,
4. do we have? Senator Egan, for what purpose do you arise?

5. SENATOR EGAN:

6. I want to move to reconsider the vote by which Senate
7. Bill 437 was considered just last...

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Well, Gentlemen, we have a...Senator Lemke is going
10. to proceed with a matter at this point. May I have the
11. attention of the Body please. I don't believe this has
12. occurred in the past, so I would ask your attention.

13. When Senator Lemke filed a motion on...to override the
14. veto of Senate Bill 206, the machine did not register
15. the proper votes beside the name of each Gentleman here.
16. Some of you are recorded as voting Yea and Nay or Yes
17. and Present on that bill. It is impossible for the
18. Secretary to know how you wish to be recorded. So we
19. are going to be ask that a second roll call be taken
20. on Senate Bill 206. Now Senator Lemke has agreed to
21. briefly explain Senate Bill 206. I will alert all the
22. members that you were recorded, if present, when the
23. bill was considered a few moments ago. Senator Lemke is
24. recognized on Senate Bill 20...for what purpose does
25. Senator Buzbee arise?

26. SENATOR BUZBEE:

27. Parliamentary inquiry. I support Senator Lemke's...
28. what he's doing, but we had a motion on Senate Bill
29. 437 which Senator Egan made and which I move that motion
30. be Tabled. I wonder if we could...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Well, I ruled that out of order. I...I recognize
33. Senator Egan only for the...that he...he rose and we can

1. get back to that. I...I think the...the precedent here
2. is we want to get back to 206 as quickly as we can.
3. Senaor Egan is not precluded from making that motion,
4. but I...I would like to handle the...the problem that
5. presents itself. Senator Lemke on 206.
6. SENATOR LEMKE:

7. This briefly requires a the filing of the
8. certificate of insurance that a fellow has Workmen's
9. Compensation Insurance in order to get an ICC permit
10. in the State of Illinois. It will protect what we
11. have existing people that comply with the law and
12. also buy insurance against those from out of State
13. who come here and fleece the market and give unfair
14. competition because our people have to buy insurance
15. where the others don't, then I think may...put some teeth
16. into it and I ask for a favorable to override this
17. veto.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. On the...on the last roll call, the vote was 30 to
20. 19 and Senators Donnewald, Ozinga, Netsch, Sangmeister,
21. Smith were recorded as voting twice. Either Aye or Nay
22. or...and...with...with leave of the Body. For what purpose
23. does Senator Rhoads arise?

24. SENATOR RHOADS:

25. Mr. President, would you please explain again what
26. happened to the machine?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Yes. If the Secretary would hand me the roll call
29. again. It...it...it is...it is a misprint. Mr. Secretary,
30. if you would hand... It is a misprint, for example, Senator
31. Donnewald is recorded as voting No and Absent and Senator
32. Ozinga is voted No and Absent and Senator Sangmeister is
33. voted Yes and No on the same bill. It is a misprint of the

1. machine, which was caught by the Secretary's office when
2. the...when the roll call was taken back to the back office
3. for recording. Senator Rhoads.

4. SENATOR RHOADS:

5. I just wondered how I could get the machine to misprint
6. on some of my bills, that's all.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Well, I don't think that it was intentional on anyone's
9. part. The machine is...in...in all the time we've had
10. the machine, I don't believe it has done that. It has
11. skipped a line, but never printed two on one line. Is there
12. leave that a second roll call be taken? Leave is granted.
13. The question is shall Senate Bill 206 Pass the Veto of
14. the Governor to the contrary notwithstanding. Those in
15. favor vote Aye. Those opposed vote Nay. The voting is
16. open. Have all voted who wish? Take...take the record.
17. On that question the Ayes are 33 the Nays are 21. The
18. motion to override, having failed to receive the required
19. three-fifths vote is declared lost and the Veto of the
20. Governor is sustained.

21.

22.

23.

END OF REEL

24.

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33.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Now, Senator Egan, you were recognized a moment ago.

3. SENATOR EGAN:

4. I move to reconsider the vote by which Senate Bill 437
5. was considered having voted on the prevailing side.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Well, Senator Egan, I think, didn't Senator Vadalabene
8. file that motion? You did not...

9. SENATOR EGAN:

10. No, I'm sorry. This is Senator Buzbee's bill.
11. This...it's not that. All we're doing is locking it up, that's
12. all.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. I'm sorry. You want to move to reconsider. I'm sorry.
15. You talked to me about another reconsideration where you
16. actually wanted to proceed and Senator Buzbee moves to Table
17. that motion to reconsider. All in...the motion to Table say
18. Aye. Opposed Nay. The Ayes have it. The motion to Table
19. prevails. Yes, Senator Maragos.

20. SENATOR MARAGOS:

21. Parliamentary inquiry, Mr. President.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Yes, Senator.

24. SENATOR MARAGOS:

25. Earlier, I had filed a veto...a motion to override
26. the Amendatory Veto of the Governor on Senate Bill 606
27. and I put it on postponed consideration. At this time,
28. I would like...I have filed another motion to consent
29. and accept his recommendation. Now, I'd like to know
30. whether I would have to withdraw my motion to...to override...
31. which is on postponed...before I move for my other motion.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. No...no, my judgment would be that if you don't call it,

1. it won't be considered by the Body and you can run on this
2. one. If you were not successful, you could go back to your
3. motion which was on postponed consideration. In fact, competing
4. motions both on Postponed. Senator Maragos.

5. SENATOR MARAGOS:

6. The motion to accept is not on Postponed Consideration.
7. I just filed that.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. That's what I say, but it's possible that you could have
10. both of those on there...

11. SENATOR MARAGOS:

12. Yeah, well...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. It will be the sponsor's option. If you wish to file
15. a motion to accept, we will take that up at your request.

16. SENATOR MARAGOS:

17. When you're ready, then, Mr. President, I'm ready.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. All right. That's on 606. All right. I have the following
20. Senators have...so that we have some idea the direction, the
21. following Senators have filed motion...we'll be taking them in
22. this order. Senators Washington, Leonard, Merlo, Weaver,
23. and Maragos. Now, Senator Egan, for what purpose do you arise?

24. SENATOR EGAN:

25. Mr. President, members of the Senate. Senator Vadalabene
26. has filed a motion to reconsider the vote that was considered
27. on Senate Bill 1312. Representative DiPrima has come to the
28. Senate to remind us that Friday is Veteran's Day and it would
29. be helpful, I think, in the spirit in Veteran's Day and its
30. celebration, that we do reconsider the vote by which that bill
31. was considered and I would ask at this time that that motion
32. be heard and for your favorable consideration.

33. PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene, you have filed a motion. Would you, for our

1. record, make the appropriate motion. Senator Vadalabene.

2. SENATOR VADALABENE:

3. Yes, I make the appropriate motion at this time.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Having voted on the prevailing side, Senator Vadalabene
6. moves to reconsider the vote by which Senate Bill 1312
7. and the motion thereon to override the Veto of the Governor was
8. lost. The Secretary has indicated that Senator Vadalabene
9. voted in the negative on that proposition. Senator Rhoads.
10. Is there leave to go to that order? Leave is granted.
11. Senator Egan, on Senate Bill 1312.

12. SENATOR EGAN:

13. Thank you, Mr. President and members of the Senate.
14. Enough has been said to remind you the vote is for the
15. Veteran's Scholarships that they cannot currently use in
16. nonpublic schools. It will allow them to do that...just
17. that and simply that and nothing more. I commend it to
18. your attention.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there...is there discussion? Senator Mitchler.

21. SENATOR MITCHLER:

22. Mr. President and members of the Senate. You recall I spoke
23. in opposition to Senate Bill 1312 and the reasons that I gave to it
24. would be that the veteran would have the ability to go to the
25. Illinois State Scholarship Commission because he's a veteran
26. and get preferential treatment in obtaining a scholarship
27. that would make him or her eligible at a private school. Now,
28. if this bill is passed, the veteran would be eligible
29. by the mere fact that there...he or she is a veteran because
30. it is on the basis of earned scholarship, not on the basis
31. of a need, which may...the need may be looked at a little
32. lighter by the Scholarship Commission, if the veteran is a
33. veteran. Now, the estimated cost for this is the Governor thinks

1. that he had the bill vetoed, runs between two to four
2. million dollars. It's...it's unknown. I do not think that
3. that amount will even be near reached. It's a hypothetical
4. figure because the veteran, if...if the veteran is going to
5. school, in most cases, will take the veteran's scholarship
6. that he has earned...he or she has earned and will not have
7. to go to the other route and it won't involve this expenditure
8. which is only around three hundred and fifteen dollars per...
9. per veteran. So, really, we're trying to save some money
10. here based on some hypothetical figures of two to four
11. million dollars. I don't think it reaches that. If it would
12. ever be a real detriment on the...on the budget, I think that
13. maybe we could pull it off after a while but I don't think
14. it's going to be the problem with the budget that is told
15. to us so Veteran's Day is this week and you might put...put
16. one through this time.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Further debate? The question is shall Senate Bill 1312
19. pass, the veto of the Governor to the contrary notwithstanding.
20. Those in favor vote Aye. Those opposed vote Nay. The voting
21. is open. Have all voted who wish? Have all voted who wish?
22. Have all voted who wish? Take the record. On that question
23. the Ayes are 41, the Nays are 9, 1 Voting Present.

24. Senate Bill 1312 having received the required three-fifths
25. vote is declared passed, the Veto of the Governor to
26. the contrary notwithstanding. Senator Carroll.

27. SENATOR CARROLL:

28. ...prevailing side, I move to reconsider the vote...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Carroll moves to reconsider the vote by which
31. Senate Bill 1312 and the veto thereon was overridden. Senator
32. Maragos moves to Table. All in favor say Aye. Opposed Nay.
33. The motion to reconsider is Tabled. I'm sorry. Senator Egan,

1. that was on the motion to reconsider. The bill has not passed
2. this Body. It is now before the Body on Senator Vadalabene's
3. motion to reconsider has prevailed. Now, the question before
4. the Body is on the actual override of the Veto of the Governor.
5. Senator Egan, briefly.

6. SENATOR EGAN:

7. Can I ask for the same roll call?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The question is shall Senate Bill 1312 pass, the
10. Veto of the Governor to the contrary notwithstanding.
11. Those in favor vote Aye. Those opposed vote Nay. The voting
12. is open. Have all voted who wish? Have all voted who wish?
13. Take the record. On that question the Ayes are 40, the
14. Nays are 12, none Voting Present. Senate Bill 1312
15. having received the required three-fifths vote is declared
16. passed, the Veto of the Governor to the contrary notwithstanding.
17. Senator Carroll moves to reconsider the vote by which
18. Senate Bill 1312 and the motion thereon passed. Senator
19. Maragos moves to Table. All in favor of the motion
20. to Table say Aye. Opposed Nay. The Ayes have it. The motion
21. to reconsider is Tabled. Senator Washington. Senator Glass,
22. for what purpose do you arise?

23. SENATOR GLASS:

24. Mr. President, for a parliamentary inquiry and a point
25. of order. And without reference at all to the last bill
26. which apparently passed with a rather substantial margin,
27. I would point out that it has been our practice to consider
28. motions...matters on Postponed Consideration at the end
29. of the...of the proceedings. And I would suggest that that
30. is the proper procedure. We...we are taking them, apparently,
31. whenever they arise. But I would suggest that in the past,
32. we've held all those motions till the last order of business
33. and it seems to me we ought to do that.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Glass, the suggestion is well made. We are on the
3. Order of Motions, however and it's...when a sponsor has asked
4. that a motion be considered, we have just gone to that...that
5. Order of Motions and as the day gets a little later, we will
6. have to preclude, I think, immediate repetition of motions.
7. Senator Washington on Senate Bill 653. Read the motion,
8. Mr. Secretary.

9. SECRETARY:

10. I move that Senate Bill 653 Do Pass, the Veto of the
11. Governor to the contrary notwithstanding. Signed, Senator
12. Washington.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Washington.

15. SENATOR WASHINGTON:

16. Mr. President and members of the Senate. The present
17. law provides that for a person who has never been previously
18. convicted of a crime is found innocent in a felony or a
19. misdemeanor case pursuant to criminal charges. If that person
20. is found innocent, they may, then, by a motion before a court,
21. expunge those police records which simply means that
22. they are returned to him. The purpose of that legislation
23. was to provide that innocent people would not be plagued with
24. record which might hinder them in their employment which is
25. quite a common situation. We didn't quite accomplish what
26. we set out to do because we were not aware at that time,
27. that the court records were still open and visible.
28. Senate Bill 653 simply provided that if a person had been
29. successful in expunging his records or her records, then
30. that person, could, by motion before a court, impound the
31. court records which simply means they would be under court
32. seal. That, of course, would be left to the discretion of the
33. court. So we have, in 653, a person who has had his records

1. expunged and 653 simply provides that they shall be impounded.
2. I think the Governor was extremely unwise, did not take
3. cognizant of the purpose of this whole trend of legislation
4. or the public policy implicit in it when he vetoed the bill.
5. He stated that standards were not involved. Well, I don't
6. think you could draw out standards ad infinitum in terms
7. of this kind of a motion. What we have done is left it to the
8. discretion of the trial court judge or the chief justice of the
9. criminal court or et cetera and we feel that based upon their
10. record of expungment in this area, they certainly can be
11. trusted with the additional step of impounding court records.
12. For that reason, I move to overrule the Governor. I think that
13. his...with all due respect to him, I think his veto of this
14. bill was unwise.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there discussion? Senator Rhoads.

17. SENATOR RHOADS:

18. Thank you, Mr. President and members of the Senate.
19. I remember this bill very clearly, Senator Washington, 'cause
20. as I would recall, it was the first bill you passed in the
21. Senate and I was the only negative vote on it. What I...I'd
22. like to reask the question in...in the Spring, can you give for
23. me the categories of crime that we're talking expungment of
24. records?

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Washington.

27. SENATOR WASHINGTON:

28. Well, to even call it in categories of crime is a
29. misnomer since the person is...must be found innocent,
30. but it covers felony, misdemeanor, violation of ordinances.
31. But remember here, we're dealing with an innocent person
32. found innocent in this case and has no previous record of
33. conviction.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rhoads.

3. SENATOR RHOADS:

4. But...but that's...that's my question. Is that necessarily
5. true? A, are we...are we only dealing with people who have
6. been found innocent and B, I'm...I'm thinking particularly,
7. Senator Washington, of narcotics cases, possession of
8. marijuana in small amounts, that sort of thing. Now, you
9. are saying that those kinds of records would be impounded
10. under this bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Washington.

13. SENATOR WASHINGTON:

14. Let me repeat. A person must not be...have been found
15. previously guilty of any crime, misdemeanor or otherwise,
16. or else he cannot make this motion to...to impound. He must
17. first have made successfully a motion to expunge and in that
18. case of course, the judge would have gone into the whole
19. business. But the person must be innocent, must not have been
20. proved guilty of any previous crime and the only purpose
21. of these...motions of these bills is to take that kind of a
22. record of an innocent person out of public view because of
23. the attendant harm which we can catalog time after time
24. after time have plagued innocent people in trying to get
25. employment. That's the only purpose of this bill.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Rhoads.

28. SENATOR RHOADS:

29. I understand that the person would not have been
30. found guilty but what about plea bargaining situation where
31. an individual perhaps a juvenile offender has been put on
32. probation and then that has been expunged from the record.
33. Now, can that type of case be covered under your bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Washington.

3. SENATOR WASHINGTON:

4. No, a probation finding implicitly means the finding
5. of guilty so it wouldn't be...he wouldn't be eligible for this.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further...further debate? Senator Maragos.

8. SENATOR MARAGOS:

9. All I have to say, Mr. President and members of the
10. Senate. This is a continuation of what the legislative
11. intent has been for several years 'cause I happen to be the
12. chief sponsor of a similar bill for misdemeanors in the House
13. several years ago and it was passed and become law and this
14. combines all these efforts into one package so, therefore,
15. will be uniform in its approach and I move for the override.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Washington may close.

18. SENATOR WASHINGTON:

19. I ask for your support in the override of a bill which has
20. serious public policy import. Thank you.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is shall Senate Bill 653 pass, the Veto
23. of the Governor to the contrary notwithstanding.
24. Those in favor vote Aye. Those opposed vote Nay. The voting
25. is open. Have all voted who wish? Have all voted who wish?
26. Take the record. On that question the Ayes are 36, the Nays
27. are 15, none Voting Present. Senate Bill 653 having received
28. the required three-fifths vote is declared passed, the
29. Veto of the Governor to the contrary notwithstanding. Senator
30. Rhoads.

31. SENATOR RHOADS:

32. I request a verification of the affirmative votes.

33. PRESIDING OFFICER: (SENATOR BRUCE)

There has been a request for a...there has been a request

1. for a verification. Will the members please be in their seats.
2. The Secretary will call the names of those who voted in the
3. affirmative.

4. SECRETARY:

5. The following voted in the affirmative: Berman, Bruce,
6. Buzbee, Carroll, Chew, Clewis, Collins, D'Arco, Daley,
7. Demuzio, Donnewald, Egan, Guidice, Kenneth Hall, Hickey,
8. Johns, Joyce, Knuppel, Kosinski, Lane, Lemke, Leonard,
9. Maragos, Merlo, Netsch, Newhouse, Rock, Sangmeister, Savickas,
10. Shapiro, Smith, Vadalabene, Walsh, Washington, Wooten,
11. Mr. President.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Rhoads, do you question the presence of any
14. member?

15. SENATOR RHOADS:

16. Is Senator Shapiro on the Floor?

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is Senator Shapiro on the Floor? Strike his name,
19. Mr. Secretary. Do you question the presence of any other
20. Senator? Senator Washington is recognized.

21. SENATOR WASHINGTON:

22. I ask leave to postpone consideration.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there leave to postpone further consideration? Leave
25. is granted. Senator Leonard on Senate Bill 3.

26. Mr. Secretary, please read the motion filed by Senator Leonard
27. on Senate Bill 3.

28. SECRETARY:

29. I move that Senate Bill 3 Do Pass, the Veto of the Governor
30. to the contrary notwithstanding. Signed, Senator Leonard.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Leonard is recognized.

33. SENATOR LEONARD:

Mr. President, this deals with the Waukegan Port once

1. again. It has to do with the membership on the port and I'd
2. like to give you...what this says is that people on the board,
3. there is a five member board and the people that are on the
4. board would have to live within the district and I'd like
5. to give you a little history on this.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Excuse me, Senator Leonard. Could we have some order
8. please?

9. SENATOR LEONARD:

10. When the district was formed, everybody on the board
11. was required to live within the district. One of the founding
12. members of the district at that time lived in Waukegan,
13. he was a man who contributed a great deal to the port, had a
14. great interest in it and as time went on, he moved from
15. Waukegan to Lake Forest. And as a gesture, the Senators
16. and Representatives from this area came before this
17. Body and changed the law and asked that people that served on the
18. board be allowed to live outside the district. It was done
19. strictly for one person and it was a personality question and
20. the man has since retired from the board, time has passed
21. and everybody that serves on that board lives inside the
22. boundaries. The Governor has vetoed saying, well, the Port
23. District services outside the area. True. There's also a
24. question of taxes and the board cannot levy obligation bonds
25. without an advisory referendum, but the board does have the power
26. to levy taxes and it is our feeling that the people that levy
27. the taxes ought to live with inside the district. And
28. I would ask for an override.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? Is there discussion? The question
31. is shall Senate Bill 3 pass, the Veto of the Governor to the
32. contrary notwithstanding. Those in favor vote Aye. Those
33. opposed vote Nay. The voting is open. Have all voted who wish?

1. Have all voted who wish? Take the record. On that question,
2. the Ayes are 38, the Nays are 10, none Voting Present.
3. Senate Bill 3 having receiving a three-fifths majority
4. vote is declared passed, the Veto of the Governor to the
5. contrary notwithstanding. Senate Bill 6, Senator Merlo.
6. Read the motion, Mr....that's right, Senate Bill 6. Read the
7. motion, Mr. Secretary. For what purpose does Senator Hynes arise?

8. SENATOR HYNES:

9. For the purpose of an announcement, Mr. President.
10. With respect to our schedule for the rest of the day and to the
11. extent we can determine at this moment, for the rest of the
12. week. It is our intention to continue working on Messages
13. from the Governor with respect to Senate Bills until we have
14. completed action on that subject. And it is our estimate
15. now that we ought to be able to complete that within the hour
16. and that includes consideration on the matters on Postponed
17. Consideration, so if you have a...an override that you wish
18. to pursue or acceptance of an amendatory veto, now is the time
19. because we will not come back to that subject matter. Once we have
20. completed that, we will recess the Regular Session subject to the
21. call of the Chair for purposes of receiving either Committee
22. Reports or Messages from the House. We will then bring the
23. ...First and Second Special Sessions to order and
24. with the exception of reading of the Journal and other perfunctory
25. matters, we will adjourn those Sessions until tomorrow.
26. And tomorrow then we will handle the State Board of Elections
27. and the Public Aid Enforcement legislation. So, the balance
28. of the substantive action today will be on the topic we are
29. presently on and if you have a motion that you wish to make,
30. now is the time to make it. With...with respect to the
31. reading of messages, we are receiving bills from the
32. House and it is necessary that these bills be acted on and moved
33. quickly so that they can go to the appropriate committees

1. and I would urge the committee chairmen to take heed of what
2. bills are assigned to committees and for that...for the purpose
3. of complying with our rules, I'd like to announce that there
4. will be a meeting of the Rules Committee in the Office of the
5. President at 4:00 p.m. for purpose of considering these
6. matters and any other matters that members wish to bring before
7. the Rules Committee. So, we will go until we have completed
8. action. We will go through one more time and then we will
9. recess the Session. You will not have an opportunity later today.
10. So, if you have a matter you wish to bring up, now is the time.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. For what purpose does Senator Netsch arise?

13. SENATOR NETSCH:

14. Along the same line, this has now been discussed, I believe,
15. with all members of Judiciary II. We've had kind of an
16. on again and off again meeting today. As soon as the Senate
17. recesses at 1:00 or 1:30, whatever it is, Judiciary II will
18. meet immediately in Room 212 for the sole purpose of
19. hearing Mr. Schmedd who is here to be heard and has made a
20. trip down from Chicago and have distributed another witness
21. statement that was not available to us before. We will then
22. recess that meeting. We take no further action in Judiciary
23. II today, but it is important that we be there for that one
24. witness statement. We will probably reconvene again tomorrow
25. morning, but I'm...I'm a little bit up in the air about the
26. time on that right at the moment. That is immediately
27. following the recess. Judiciary II will meet in Room 212
28. for the sole purpose of hearing a witness.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Maragos.

31. SENATOR MARAGOS:

32. For the purpose of an announcement as long as announcements
33. are being made. The Senate Ad Hoc Committee on Senate Procedures

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1. will meet immediately after we recess the Regular Session in
2. the front of the rotunda...in front of the Senate Chambers.
3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further announcements? Senator Merlo, we always seem
5. to interrupt you. Senator Merlo on Senate Bill 60.
6. The Secretary will read the motion, please.

7. SECRETARY:

8. I move to accept the Specific Recommendations of the
9. Governor as to Senate Bill No. 60 in the manner and form as
10. follows: lines 29 through 31 on page 1 and lines 1 through
11. 3 on page 2 be deleted. Signed, Senator Merlo.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Merlo is recognized.

14. SENATOR MERLO:

15. Mr. President and members of the Senate. This motion,
16. of course, accedes to the Specific Recommendations of the
17. Governor with respect to the Home Rule Provision
18. contained in Senate Bill 60. I have discussed this with our
19. leadership and they feel that this is the proper course to take
20. at this particular time. I can only say and I hope that
21. whatever course we do take in this Chamber and in the House
22. across the rotunda, that it is the proper course and one that
23. is in the best interest of the people of the State of Illinois
24. and so I ask a affirmative vote on accepting the Specific
25. Recommendations of the Governor.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Netsch.

28. SENATOR NETSCH:

29. Thank you, Mr. President. I agree again with Senator
30. Merlo but I think it should be clear that the reason why this
31. action is having to be taken is that we don't have thirty-
32. six votes to do it the other way around which we would prefer.
33. Having made a crystal clear clarifying statement on the
meaning of the other course of action, I guess I now have to make

1. a equally crystal clear clarifying statement on this course
2. of action. What we are doing now by accepting the Governor's
3. recommended amendatory language with respect to the Home Rule
4. Amendment is that we are eliminating any reference at all to
5. what home rule units may do with respect to condominium
6. legislation. The effect of this is that home rule units
7. may, within their government and affairs, enact condominium
8. regulating legislation. That is whatever they might have done
9. within their home rule grant, they may still do because we have
10. not preempted for the State of Illinois. This Statute, of course,
11. will apply generally State-wide and it will apply obviously
12. in any area that is not a home rule unit. If a home rule unit
13. wants to enact legislation, also dealing with condominium
14. legislation and if that legislation is considered to be within
15. its government and affairs it is free to go ahead and do so.
16. Again, I repeat, because there is no preemption language
17. in the Condominium Act. Absent any such action, however,
18. the State Statute will apply throughout the State.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there further discussion? The question is shall the
21. Senate accept the Specific Recommendations of the Governor
22. as to Senate Bill 60 in the manner and form as stated in the
23. motion made by Senator Merlo. Those in favor vote Aye.
24. Those opposed vote Nay. The voting is open. The motion is
25. to accept the Specific Recommendations as stated in the motion.
26. Have all voted who wish? Take the record. On that question the
27. Ayes are 53, the Nays are 1, none Voting Present. The Specific
28. Recommendation of the Governor as set forth in the motion by
29. Senator Merlo as to Senate Bill 60 having received the required
30. majority vote of Senators elected, is declared accepted.
31. Is Senator Weaver on the Floor? Senator Maragos on 606.
32. Read the motion, Mr. Secretary, please. Senator Maragos,
33. is that on Postponed? Read the motion, Mr. Secretary.

1. SECRETARY:

2. I move to accept the Specific Recommendations of the Governor
3. as to Senate Bill 606 in the manner and form as follows.

4. Signed, Senator Maragos.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Maragos is recognized.

7. SENATOR MARAGOS:

8. Mr. President and members of the Senate. Having failed
9. to override the Amendatory Veto, I now move that we accept
10. the recommendations of the Governor in the manner and form
11. as stated in his Amendatory Veto Message because we will at
12. least have some action to help the school boards on a local
13. basis and therefore, I move for its adoption.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there discussion? The question is shall the Senate
16. accept the Specific Recommendations of the Governor as to
17. Senate Bill 606 in the manner and form just stated by Senator
18. Maragos. Those in favor vote Aye. Those opposed vote
19. Nay. The voting is open. Have all voted who wish?
20. Have all voted who wish? Take the record. On that question
21. the Ayes are 52, the Nays are 1, none Voting Present.
22. The Specific Recommendations of the Governor as to Senate Bill
23. 606 having received the required majority vote of Senators
24. elected, are declared accepted. Senator Carroll, on...
25. Senator...I'm sorry. Senator Kosinski on 964. All right. Read
26. the motion, Mr. Secretary on Senate Bill 964. Senator Kosinski,
27. that's on Postponed Consideration. We'll have to get back to that.
28. We're going to let everyone have a first shot before we get back.
29. And I would point out to any Gentleman who's had a motion heard
30. today that if you wish to come back to it on Postponed
31. Consideration, we are making another list of those who have
32. had a first shot already today. We will come back to those on
33. Postponed Consideration. Senators Carroll, Wooten, Lane and Mitchler

1. have filed motions for consideration for the first time today.
2. Senator Carroll on Senate Bill 438. Read the motion,
3. Mr. Secretary.

4. SECRETARY:

5. I move that the item on page 1, line 12 of Senate Bill
6. 438 be restored, the Item Reduction of the Governor to the
7. contrary notwithstanding. Signed, Senators Carroll
8. and Bruce.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President. I would ask leave, first of all,
13. there are five motions filed by myself and the Chair
14. on this bill. The reason being there are five institutions
15. of higher learning that are covered under the Board of Governor's
16. System. So, I think for general discussion, I would like to
17. ...it's all related to the same aspect of it and if I could have
18. leave to discuss all five motions.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there leave? The Secretary will read the other four
21. motions. Leave...is there leave? Leave is granted. The Secretary
22. will read the four other motions on this item.

23. SECRETARY:

24. I move that the item on page 1, line 23 of Senate Bill
25. 438 be restored, the Item Reduction of the Governor to the
26. contrary notwithstanding. Signed, Senator Carroll and Bruce.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Excuse me, Mr. Secretary. For what purpose does
29. Senator Walsh arise?

30. SENATOR WALSH:

31. I have a point...point of order, Mr. President. I don't
32. see...this bill on the printed schedule that I have on my
33. desk. Is this...

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. No, it would not be and all that printed schedule was was
3. the...the motions that the Secretary had as we opened business
4. today. That was not to preclude anyone from filing additional
5. motions today.

6. SENATOR WALSH:

7. Well, how many of these recently filed motions are...
8. does the Secretary have on his desk? It doesn't give us any time to...

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The Chair...we've considered every motion on the printed
11. Calendar except 1, 2, 3, 4, 5, 6, 7, 10, so we've gone through
12. all of those except ten of...

13. SENATOR WALSH:

14. Well...

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. ...more or less and so we've...we've been taking other
17. motions filed. We have considered other motions than
18. what is on here already today. Senator Walsh.

19. SENATOR WALSH:

20. Well, it would just seem to me, Mr. President, I know
21. the Chair had indicated not too long ago that we were going to
22. break for lunch, I think, at about 1:00 o'clock or someone
23. had indicated that and since these are just newly filed,
24. maybe we could have a list of those that are newly filed.
25. We're somewhat at a disadvantage when motions are...are filed and
26. called without any notice and I know we've reconsidered some
27. bills and we've...we've postponed consideration on some...
28. I think four or five different motions that have been heard
29. twice and a second time around apparently there has been some
30. success. It doesn't appear to be a very orderly process.
31. And...maybe we should recess now and come back and address ourselves
32. to these questions which apparently were not so important
33. as to have been filed when we convened.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Well, Senator, the only problem is that all...all of these
3. matters are before the Senate on their Calendar and would be
4. subject to being called in order. The Chair has taken motions
5. in the order of which Senators have asked that they be
6. called and we will continue that policy. I think we're taking,
7. today, two motions that were considered earlier so to say that
8. we've considered many I don't think is...is accurate
9. and I've just announced that we will not take any motions
10. on Postponed Consideration till we've considered all motions
11. that wish to be considered the first time today. There were
12. a couple of lulls and we did pick up some bills that
13. had been considered earlier. I think that only occurred in
14. two instances, but they are on the Calendar for consideration
15. today and today is the final day. The Secretary will proceed
16. with the reading the five motions.

17. SECRETARY:

18. Motion No. 3. I move that the item on page 2, line
19. 1 of Senate Bill 438 be restored, the Item Reduction of the
20. Governor to the contrary notwithstanding. Signed, Senators
21. Carroll and Bruce.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Carroll, for what purpose do you arise?

24. SENATOR CARROLL:

25. Just out of respect to a fellow member, Senator Walsh.
26. I...I find the Senate, as everything else in life, to be a
27. learning experience when Senator Buzbee went ahead on SIU,
28. I learned something and therefore filed my motion. Out of
29. courtesy to you, I will withdraw it at this time and call it a
30. little bit later so you have a chance to look it over. It was
31. not filed until after Senator Buzbee was successful with his
32. so if you would like a few moments, I'd be happy to pull it from
33. the record and call it in a little while.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there leave to take the five motions from the record.

3. Leave is granted. Senator Wooten on 496. Senator Donnewald.

4. Read the motion.

5. SECRETARY:

6. I move...I move that the item on page 23, lines 24
7. through 28 of Senate Bill 496 Do Pass, the Item Veto of the
8. Governor to the contrary notwithstanding. Signed, Senator
9. Wooten.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Wooten is recognized.

12. SENATOR WOOTEN:

13. Mr. President, could I have you rap the gavel? What
14. I'm going to say is a little technical and I hope that the
15. membership will follow it, particularly on the Republican side.
16. The Governor has put the kill on this but I want to explain
17. the technical thing to you that I think would be important
18. to understand. I have not been associated with the West
19. Central Illinois Educational Telecommunications Corporation.
20. This is something Senator Latherow got going. It centers around
21. Western Illinois University. The idea of the whole plan
22. and I hope you follow each step of this now, is to
23. set up a public television network in west central Illinois.
24. The anchored, the station in Jacksonville, one of the quad cities
25. in Peoria and the thing that will make it all work is
26. a microwave interconnect system, please remember that term,
27. that will make it a true network. Now, the money that was up
28. this year should have been higher in BHE and they agreed that it
29. will be given a top priority next year. It should have been higher,
30. because it was not, it was cut. The people involved in this
31. corporation thought they had cut a deal or made an agreement
32. with the Governor that this would be restored and they would only
33. spen five hundred thousand dollars in order to secure a million

1. dollars in Federal money. That grant should be announced in
2. December. The reason I know about this is because I'm
3. working on a grant for a radio station in the quad cities and
4. I know they're coming out the same time. Now, if we delay
5. this till next year and I believe that's what's in the Governor's
6. mind, if we delay it till next year, we will lose what? Just
7. the Federal money for this year, we can pick it up next year.
8. But the Feds are changing their guidelines on the kind of money
9. they will grant and we will not be able to bid on the microwave
10. interconnect hardware to make it a network. Now, I don't know if
11. you can follow that but it simply means a delay of one year
12. will kill the network. Now, I suppose it all depends on how
13. you feel about the whole system. If the State does not
14. appropriate at least five hundred thousand dollars, we'll
15. lose the Federal money for this year, the whole thing will be
16. delayed a year and the net effect of that delay will be to
17. cut out any chance of the Feds funding the network aspect
18. of this whole program. Now, there is considerable confusion
19. I think, in the Bureau of the Budget, the Governor's staff
20. and everybody because this has not been looked at very
21. closely. As a matter of fact, why don't you wait till tomorrow
22. so we have a chance to run it down a little bit. Well, tomorrow
23. kills it all. We have to move today. I suggest to you that
24. as a prudent matter, we really ought to override the veto and
25. then if the representations I have made are not accurate,
26. kill it in the House but don't lose the chance to have that
27. network a viable, functioning unit. I don't think I have
28. misstated anything. That if you delay it one year, you will
29. lose the option of Federal money for the microwave interconnect
30. and thus kill the...the system or else call on the State to
31. contribute a lot more money. What is at stake right now is the
32. second of three consecutive Federal grants. Some have said, well,
33. it hasn't been decided yet. Everyone knows that Washington and
here, it's three consecutive Federal grants and that's what we're

1. up for. I suggest to you that if we don't restore this money,
2. then you jeopardize the whole program and certainly
3. you will place a greater burden on the State if, in fact,
4. they want to continue the network aspect of this, if we lose
5. this Federal money now. So, in light of that, I ask for an
6. override of this item.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Senator McMillan.

9. SENATOR McMILLAN:

10. Well, I rise very reluctantly to speak in opposition to
11. Senator Wooten's motion. The things that Senator Wooten
12. has said are absolutely correct and I do not quarrel with them.
13. On the other hand, I voted today and so have a lot of the rest
14. of you against a lot of projects which in and of themselves
15. were probably good ones. There is some danger of something
16. to be lost but...but this happens to be the project
17. that was initially sponsored by my predecessor. It's something
18. that very much affects my area, but it was, in fact, something
19. which no one cried help about or really came because they were
20. in...in...feeling great danger of the loss until this morning
21. and it seems to me that...that it's a worthy program and
22. the people in our entire area would like to have
23. it but I think the money is not there, the Governor is not
24. behind it and I believe that we should not vote to override
25. this veto.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Shapiro.

28. SENATOR SHAPIRO:

29. Will the sponsor yield to a question?

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Indicates he will.

32. SENATOR SHAPIRO:

33. Senator Wooten, what is the authority for the statement
that you made that the guidelines may be changed?

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Wooten.

3. SENATOR WOOTEN:

4. Conversations that I have had with the people in the
5. system, I've asked them about, you know, how the thing
6. proceeds and they said that under Carter's new program,
7. the fellow who is on the National Board of...is it NPR,
8. one of those outfits, he said that the Government is in the
9. process of changing its guidelines on its...on its grants
10. and that this is the last year that microwave interconnects
11. will be in that category of Federal support. The thing is if
12. we get the tower going and make the application toward the end of
13. this year, then we're in under the wire under the present
14. guidelines. It's like everything else, this is principally
15. in conversation this morning...I've been touching base with
16. everybody to try to be sure of...of where I stand and I
17. know that there is going to be a real change in what
18. the Feds are going to grant. In my application, one of the
19. reasons we did two year work in six weeks to get my application
20. in is because I know that money is going to be cut by
21. two-thirds. If I want to get my radio grant in, I've got to get
22. it in now so that's why I rush to get in and I suggest to you
23. that, you know, anything is possible. But my understanding is that
24. in the revision of those guidelines, you can kiss microwave
25. interconnects good-bye at the end of this current year.
26. And that's why I say on that basis alone, I don't think
27. we ought to play around with it.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Shapiro.

30. SENATOR SHAPIRO:

31. Well, in...in light of that conversation, what I would
32. like to suggest, I'm going to oppose the override.
33. But we have some bills coming over from the House. We can add the

1. specific amount of money that they say they will need, I think
2. you mentioned five hundred thousand out of the 2.2,
3. add the specific amount of money, or come in with a
4. supplemental to restore the monies and I'd be willing to do that.
5. But I am going to oppose the override because the BHE
6. for reasons probably best known to themselves, did not place
7. it on the priority list and if there was this urgency
8. to the matter, they certainly should have.

9. PRESIDING OFFICER: (SENATOR DONNWEALD)

10. Senator Grotberg.

11. SENATOR GROTBORG:

12. Will the sponsor yield.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Indicates he will.

15. SENATOR GROTBORG:

16. Senator Wooten, once this thing is capitalized and
17. on the air, who is going to operate it?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Wooten.

20. SENATOR WOOTEN:

21. Senator, this is not my baby. I don't know
22. anything about it. I was just talking to them in the technical
23. end of this and what might be involved in a loss...it really
24. is not something in which I played a central role at all.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Grotberg.

27. SENATOR GROTBORG:

28. Well, I deeply respect, Senator Wooten, your frank
29. answer. I have done some research in general in university
30. radio and television and have been a proponent for a number
31. of years. I think the next thing we should...probably should
32. have is a television station for the General Assembly.
33. We seem to be the only power structure in Illinois

1. left that doesn't have their own voice. And this is not to
2. belittle, Senator Wooten, what you're about. I have
3. been a part of studying that situation. The facts are the
4. Federal grants for hard equipment are easy to get if you
5. will match. What is not generally known, is that any
6. university, whether it's for radio or television immediately
7. thereupon has a full fledged staff of technicians, not students,
8. mind you, a few students take some communication courses,
9. but in general they have their full union equal salaried engineers,
10. equipment operators, repairmen and once in a while a student
11. even gets to take part in this. And I think the whole thing
12. has been blown out of proportion and it might be well to take a
13. long, hard look at this. I have no retribution on the sponsor
14. or anything but it's a subject that's been dear to my heart for
15. a long time. I must express myself. It might be well to kill it
16. before it has little ones.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there further discussion? Senator Wooten may close.

19. SENATOR WOOTEN:

20. Thank you, Mr. President. Senator Grotberg,
21. as I said, I am deeply involved in a process of this
22. sort. If you go right south of Springfield to Sangamon
23. State University, you will find a public radio station in which
24. hundreds of students are actively involved. The philosophy of
25. the programming and staffing changes from station to station.
26. I might also say that the money is not that easy to come by.
27. The competition for these funds is keen. I know, I'm in the
28. competition in another level and it's tough. And I submit
29. to you that I also, Senator Shapiro, ask about could we not
30. come in with a supplemental and so on. Because of the nature
31. of the way the funds are going, I'm assuming that's a valid
32. fallback position but I cannot guarantee. I would suggest that
33. we get that bill in some kind of form immediately so that if there

1. is a question of loss of money, we can at least say that we've
2. got the bill in the hopper to do it. I think the best thing
3. is to go with what the people in the corporation thought
4. they had as an arrangement with the Governor, restore the item
5. with their pledge to only spend five hundred thousand which
6. is the amount they had last year. And as I say, if I have
7. misrepresented this and I get the impression all we need is a
8. little clear thinking in one or two groups of government and
9. we'll get this worked out. But if we could restore it here
10. and this is a misrepresentation, surely you have enough votes in
11. the House to block it. On that basis, I would ask that
12. we have this veto overridden.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. All right. The question is shall the item on page
15. 23, lines 24 through 28 of Senate Bill 496 be restored,
16. the Item Reduction of the Governor to the contrary notwithstanding.
17. Those in favor vote Aye. Those opposed Nay. The voting is
18. open. Have all those voted who wish? Have all those voted
19. who wish? Take the record. On that question the Ayes are
20. 30, the Nays are 16. The items on page 23, lines 24 through
21. 28 having received the required majority vote of the Senators
22. elected is declared restored, the Item Reduction of the Governor
23. to the contrary notwithstanding. Senator Sommer, for what purpose
24. do you arise?

25. SENATOR SOMMER:

26. Just an inquiry. Wasn't that an Item Veto and require
27. 36 votes.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. I have been misinformed. You are correct, Senator. It
30. does take 36...the motion does, in fact, fail. Senate
31. Bill 1359, Senator Lane. Read the motion, Mr. Secretary.

32. SECRETARY:

33. I move that Senate Bill 1359 Do Pass, the Veto of the Governor

1. to the contrary notwithstanding. Signed, Senator Lane.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Senator Lane.

4. SENATOR LANE:

5. What was that? The...

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. The Chair recognizes you, Senator Lane.

8. SENATOR LANE:

9. Thank you, Mr. President, members of this Senate.

10. The basic reason for the veto of Senate Bill 1359 is the
11. attitude of the Department of Registration and Education
12. that there should be no regulation of persons who provide
13. hearing aid services. Illinois is completely surrounded by states
14. which have laws to keep out the incompetent and unethical
15. practitioner. Unless we act, Illinois will attract those
16. persons who have been rejected by the other states. Senate
17. Bill 1359 is a good bill that is in the public interest.
18. It provides competency standards, registration of personnel
19. and consumer recourse if abuse occurs. I respectfully urge you
20. to vote Yes on this motion to override.

21. PRESIDING OFFICER: (SENATOR DONNEWALD)

22. Senator Rupp.

23. SENATOR RUPP:

24. Thank you, Mr. President. I rise in favor of this override.
25. It appears that when an industry itself asks for additional
26. regulation, I do believe should have some real consideration.
27. Would certainly indicate that there's a need and I do ask for a
28. favorable vote.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Is there further discussion? Senator...Senator Lane,
31. do you wish to close or do you want a roll call?
32. Or both?

33. SENATOR LANE:

1. This Spring, this Senate Bill 1359 passed out of here
2. 51 to nothing and I respectfully urge you to vote Yes.
3. Thank you.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. All right. The question is shall Senate Bill 1359
6. pass, the Veto of the Governor to the contrary notwithstanding.
7. Those in favor vote Aye. Those opposed Nay. The voting is
8. open. Have all those voted who wish? Take the record.
9. On that question the Yeas are 44, the Nays are 4.
10. Senate Bill 1359 having received the required three-
11. fifths vote is declared passed, the Veto of the Governor
12. to the contrary notwithstanding. Senator Mitchler as to Senate
13. Bill 1116. Read the motion, Mr. Secretary.

14. SECRETARY:

15. I move that Senate Bill 1116 Do Pass, the Veto of the
16. Governor to the contrary notwithstanding. Signed, Senator
17. Mitchler.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. Mr. President and members of the Senate, Senate Bill 1116
22. would authorize the Department of Conservation to make
23. capital improvements on leased property under certain
24. circumstances. Now, in 1962, the Attorney General gave
25. an opinion that the Department of Conservation could not
26. make permanent improvements on leased properties and thus
27. the need for this legislation. After we adjourned the
28. Attorney General gave an opinion in July that said that
29. the Department of Conservation could do this if it was specifically
30. provided for by Statute. That is the reason that this bill
31. is now needed. And therefore, I ask for a favorable vote on the
32. motion to override the veto at the time the Governor
33. made the veto on the message.

S.P.
11-5

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? The question is shall

3. Senate Bill 1116 pass the Veto of the Governor to the

4. contrary notwithstanding. Those in favor vote Aye.

5. Those opposed Nay. The voting is open. Have all those

6. voted who wish? Take the record. On that question

7. the Ayes are 23, the Nays are 1. Senate Bill 1116,

8. not having received the required three-fifths vote is

9. declared lost. Senator Joyce as to Senate Bill 767.

10. Read the motion, Mr. Secretary.

11. SECRETARY:

12. I move that Senate Bill 767 Do Pass the Veto of

13. the Governor to the contrary notwithstanding. Signed,

14. Senator Joyce.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Joyce.

17. SENATOR JOYCE:

18. Yes, thank you, Mr. President. This is the Mazon

19. River watershed. There are three hundred and thirty-nine

20. thousand acres involved in this. It's been under study

21. since 1971. Now there is a nuclear cooling lake being

22. built in the proximity of this and what...the plans call

23. for the runoff of the lake to go into the Mazon River.

24. I might add that during the last Session, I believe the

25. Governor has made a mistake on this. He talked to, and

26. I'll defer to Senator Carroll on this, but he did speak

27. to Senator Carroll and said that he would, in fact, put

28. an Amendatory Veto on this for a million dollars. And

29. instead it...the whole million and a half got vetoed.

30. So, I might defer to Senator Carroll.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Carroll.

33. SENATOR CARROLL:

34. Thank you, Mr. President, Ladies and Gentlemen of

1. the Senate. I'm sorry, Senator Joyce, I didn't hear all
2. your comments, somebody from the Governor's Office was
3. whispering in my ear at the time. It was not necessarily
4. good news or bad news, but just to refresh the recollection
5. of some of the members of this Body and those who hear
6. our mellifluous tones as they rebound through out the
7. Capitol Building. His Excellency did talk to me about
8. this specific piece of legislation some time in June.
9. In fact, he did it on the Floor of the Senate one of
10. those evenings that he came up here to chat with some of
11. the members. And this was part of the program at that
12. time. There were certain other bills of Senator Joyce's
13. he was not as enthralled with as he was with this one.
14. But he saw the wisdom of this particular piece of
15. legislation, at least as to about two-thirds of it.
16. And he indicated to me at that time and to others, that
17. he would support this most needed project in the Kankakee
18. area when the matter came to his desk. Somehow he
19. mysteriously forgot about it, and when the bill came
20. to his desk his pen must have slipped, I'm sure it was
21. in error, in fact I discussed it with him about a month
22. ago or two. And he finally confessed to me, yes, it
23. was in error, his pen did slip, he forgot to write it
24. down. He thought it was the other bills of Senator
25. Joyce, that he wasn't, again, so enthralled with. And
26. he vetoed those too, I might add. But this particular
27. bill, not only did he make a commitment, a commitment
28. to a member of the Senate and to the Senate as a whole
29. and to the General Assembly, he repeated it again about
30. a month ago that he would try and help. I would assume
31. his way in helping would be to have the Republicans also
32. support us in our motion to override this veto and I
33. would ask for unanimous support from both sides of the
34. aisle.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Shapiro.

3. SENATOR SHAPIRO:

4. Well, Mr. President and Ladies and Gentlemen of the Senate.

5. Unfortunately the Governor forgot to talk to this side of the

6. aisle. As a...as a matter of fact, our initial inquiry

7. into the bill last Spring is the Department of Transportation

8. did not know where the Mazon River was located.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Senator Joyce may close.

11. SENATOR JOYCE:

12. Mr. President, I wish you would tell that to Senator

13. Mitchler and the...the Water Resources Commission, they

14. know where every river in this State of Illinois is. I

15. would ask for 36 votes, please.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. The question is shall Senate Bill 767 pass the

18. Veto of the Governor to the contrary notwithstanding.

19. Those in favor vote Aye. Those opposed Nay. The voting

20. is open. (Machine cutoff)...voted who wish? All those

21. voted who wish? Take the record. On that question the

22. Ayes are 34, the Nays are 19. Senate Bill 767 not having

23. received the required three-fifths vote is lost. Senator...

24. Senator Joyce requests postponed consideration. Consideration

25. will be postponed. On the Order of Postponed Consideration,

26. Senator Kosinski as to Senate Bill 964. Senator Weaver as

27. to House...Senate Bill 435. Do you wish to proceed? Senator

28. Weaver.

29. SENATOR WEAVER:

30. Well, Mr. President, I withdrew that motion. I talked

31. to the principals at the University of Illinois and they

32. felt that they could certainly use the money to upgrade

33. salaries, but they also said that the General Assembly, the

1. Bureau of the Budget, Board of Higher Education and all concerned
2. dealt with them rather equitably this year, not as much as they
3. needed, of course, but Dr. Corbally told me that they had a
4. gentleman's agreement and a gentleman's agreement was worth
5. more than money.

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. I certainly concur with what Senator Weaver said.
10. I have a gentleman's agreement with my constituents and it
11. certainly is worth more than money and I just...I just did work
12. in their behalf and got an override from my system. Thank
13. you.

14. PRESIDING OFFICER: (SENATOR JOHNS)

15. Any further discussion? Senator Rock is recognized.

16. SENATOR ROCK:

17. Well, as long as we're on the Order of Gentlemen's
18. Agreements, we, in fact, had one with the Chief Executive
19. of this State and it failed.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Any further discussion? Senator Kosinski on Consideration
22. Postponed. Do you wish to call that bill? Read the bill,
23. Mr. Secretary. It's already been read? Senator Kosinski is
24. recognized on Consideration Postponed, Senate Bill 964.

25. SENATOR KOSINSKI:

26. Mr. President and members of the Senate. This is the
27. poll watchers bill and as you know, I had explained the
28. amendment earlier and without any further delay, I'd like to
29. have a most favorable roll call at this time.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Any further discussion? Senate Bill 964. The question
32. is shall Senate Bill 964 pass, the Specific Recommendations of the
33. Governor to the contrary notwithstanding. Those in favor vote

1. Aye. Those opposed vote Nay. The voting is open.
2. Have all voted who wish? Have all voted who wish? Take the
3. record, Mr. Secretary. On that question the Ayes are
4. 43, the Nays are 10. Senate Bill 964 having received the
5. required three-fifths vote is declared passed, the Specific
6. Recommendations of the Governor to the contrary notwithstanding.

7. End of reel
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1. PRESIDING OFFICER: (SENATOR JOHNS)

2. Senator Maragos. Senate Bill 607. Senator Maragos.

3. SENATOR MARAGOS:

4. Mr. President and members of the Senate. I respectfully
5. ask the minority leader if he has done any research
6. since we talked on this matter earlier today and if he could
7. get us several votes to override the veto because it is very
8. instrumental to help the regional...the district colleges
9. succeed in handling their decisions and spending their money
10. along with that of the State.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Senator Shapiro.

13. SENATOR SHAPIRO:

14. Mr. President and Ladies and Gentlemen of the Senate.
15. I did talk with representatives of the Capital Development
16. Board. Their opinion on the bill is not changed. I want to
17. point out to you that the Capital Development Board is,
18. essentially, complying with what this bill calls for. I,
19. personally, don't think the bill is necessary. None of my
20. junior colleges or high schools in my particular area of
21. this State who are having building projects going have
22. asked for this. They did in the past, but all that has
23. changed now and I would recommend that the override not
24. occur and that we sustain the Governor's Veto.

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. Senator Maragos.

27. SENATOR MARAGOS:

28. Mr. President, in keeping true faith to those who I
29. asked...asked me to work on this bill, I have to take a
30. roll call because...and ask for an override of this veto
31. because it's important to many colleges, even though they
32. may not be to those of...in the district of Senator Shapiro.
33. And I ask for an override of it at this time.

1. PRESIDING OFFICER: (SENATOR JOHNS)

2. You've heard the question. The question is, shall Senate
3. Bill 607 pass the veto of the Governor to the contrary notwith-
4. standing. Those in favor vote Aye. Those opposed vote Nay.
5. The voting is open. Have all voted who wish? Have all voted
6. who wish? Take the record. On that question, the Ayes are
7. 34, the Nays are 21. The motion to override has failed. The
8. Chair wishes to recognize Senator Joyce. Senate Bill 752.
9. Senator Joyce.

10. SENATOR JOYCE:

11. Yes, Mr. President. This is lines 5, 6, and 7. This
12. is the Kankakee River Commission. We have discussed it
13. thoroughly. I would like my constituents to have the benefit
14. of a roll call. They'll thank you.

15. PRESIDING OFFICER: (SENATOR JOYCE)

16. Any further discussion? The question is, the question is,
17. shall the item on page 10, lines 5 through 7 of Senate Bill
18. 752 be restored the Item Reduction of the Governor to the
19. contrary notwithstanding. Those in favor vote Aye. Those
20. opposed vote Nay. The voting is open. Have all voted who
21. wish? Have all voted who wish? Those in favor...I mean,
22. wait a minute. Forgive me. Have all voted who wish? Okay.
23. Mr. Secretary, take the record. On that question, the Ayes
24. are 34, the Nays are 21. The motion to restore the item fails.
25. Wait a minute...wait a minute. The Chair was correct in the
26. announcements. Senate Bill 767, Senator Joyce.

27. SENATOR JOYCE:

28. Yes, Mr. President. Thank you. That is the Mazon River.
29. I would like a roll call on this one, also. To expound on
30. the faith of our Governor and his word.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. The question is, shall Senate Bill 767 pass the Veto
33. of the Governor to the contrary notwithstanding. Those in

1. favor vote Aye. Those opposed...vote Nay. The voting is
2. open. Have all voted who wish? Have all voted who wish?
3. Take the record. On that question, the Ayes are 34, the
4. Nays are 23 and the motion to override Senate Bill 767
5. fails. Senator Carroll wishes to call Senate Bill 705.
6. The Chair recognizes Senator Carroll.

7. SENATOR CARROLL:

8. Thank you, Mr. President. This was the bill that where
9. the State, by law, had said that it would reimburse the counties
10. for their probation officers and in 1975 fell short to the
11. County of Cook to the tune of a hundred and eighty-seven
12. thousand dollars. The comptroller, then...Comptroller Lindberg
13. attempted to put in a supplemental and it did not meet the time
14. limits. Bernie Carey attempted to bring the case before the
15. Court of Claims and the court said without the appropriation
16. it couldn't do it. But here's a case where the taxpayers of
17. Cook County had put up money for the State of Illinois that
18. by law the State is to reimburse to the taxpayers of Cook
19. County and I would ask for a favorable roll call on reimburse-
20. ment for that 1975 expenditure.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. The Chair wishes to recognize Senator Glass.

23. SENATOR GLASS:

24. Thank you, Mr. President. I'm...I'm rising more for a
25. point of information than anything else. First...this, I
26. take it is a matter on Postponed Consideration?

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Yes.

29. SENATOR GLASS:

30. And is it...the board says Override Veto. Is that correct?
31. It is total override.

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. That's my understanding.

1. SENATOR GLASS:

2. All right. Thank you.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Total override. Any further discussion? The question is,
5. shall Senate Bill 705 pass the Veto of the Governor to the
6. contrary notwithstanding. Those in favor vote Aye. Those
7. opposed vote Nay. The voting is open. Have all voted who
8. wish? Have all voted who wish? Mr. Secretary, take the
9. record. On that question, the Ayes are 35, the Nays are 19.
10. The motion to override Senate Bill 705 fails. Senate Bills on
11. Postponed Consideration. Senate Bill 959. Senator Leonard.

12. SENATOR LEONARD:

13. This is the Waukegan Harbor, the appropriation for three
14. million, three hundred and fifty thousand dollars and I ask for
15. 36 votes.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. Any discussion? The question is, shall Senate Bill 959
18. pass? Those in favor...shall the Veto of the Governor to the
19. contrary notwithstanding. Those in favor vote Aye. Those
20. opposed vote Nay. The voting is open. Have all voted who
21. wish? Have all voted who wish? Take the record. On that
22. question, the Ayes are 35, the Nays are 18. The motion to
23. override fails. Senate Bill 960. Senator Leonard.

24. SENATOR LEONARD:

25. This is the fifty thousand dollar appropriation for
26. the Waukegan Harbor and ask for 36 votes.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Any further discussion? On that question, is...shall
29. Senate Bill 960 pass the Veto of the Governor to the contrary
30. notwithstanding. Those in favor vote Aye. Those opposed
31. vote Nay. The voting is open. Have all voted who wish?
32. Have all voted who wish? Take the record. Those in favor...
33. on that question, the Ayes are 35, the Nays are 18. The

1. motion to override Senate Bill 960 fails. Senate Bill 653,
2. Senator Washington, on Postponed Consideration. Senator
3. Washington.

4. SENATOR WASHINGTON:

5. This bill was thoroughly explained. It deals with the
6. impoundment of records of innocent people. There was some
7. legitimate confusion about interpretation of the bill and I
8. think it's been worked out to the satisfaction of people
9. and that there are adequate safeguards for the State and
10. certainly for the individual involved inherent in this
11. piece of legislation. I urge your consideration in overriding
12. this veto.

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. Senator Rhoads.

15. SENATOR RHOADS:

16. Well, here...here's where we, I think we stand with this,
17. Senator Washington...If the Governor's Office is correct, that
18. the three year lag time was taken out in the House, it would
19. now be possible under your bill to move for an expungment
20. and to move for an impoundment of the expungment without any
21. delay, whatsoever. Is that correct?

22. PRESIDING OFFICER : (SENATOR JOHNS)

23. : Senator Washington.

24. SENATOR WASHINGTON:

25. There's a time bind here. I would suggest, Senator
26. Rhoads, to get around that hump, that we vote the bill on
27. out and if such legislation did pass, and I'm not certain
28. it did, then we could consider it in the House. And if it
29. did pass, it would have a bearing on my decision about the
30. override.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Senator Rhoads.

33. SENATOR RHOADS:

1. ...I just want to be clear on that point because I asked
2. you if that bothered you, the fact that the two motions could
3. be made immediately and you said that it did not. Now, are
4. you now indicating that if this gets over to the House you
5. will seek an amendment over there whereby you will put that
6. three year lag time back in?

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Senator Washington.

9. SENATOR WASHINGTON:

10. We've come so close together, I don't want to lose you
11. now. You can't not go into court immediately and make both
12. motions. They have to come seviatum. You'd have to move to
13. expunge first and then later on to impound. Now if, in fact,
14. the year limitation has been taken out, I would certainly
15. consider it and...and so advise those in the House. I just
16. don't know.

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. Senator D'Arco.

19. SENATOR D'ARCO:

20. The three year lag time that Senator Rhoads was referring
21. to. Does that apply to all misdemeanors or and felonies?
22. Or does it...let me strike that a minute. The three year
23. lag time, as I understand it, only applies to supervision
24. cases when they are terminated you had to wait three years
25. after the end of the supervision period before you could
26. expunge the arrest record. We passed a bill last Session
27. that eliminated that three year lag time as Senator Rhoads
28. referred to it. Is that what he is, in fact, referring to?
29. Do you know that? Or I don't know.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Senator Washington.

32. SENATOR WASHINGTON:

33. We weren't clear on this Senator D'Arco and your

1. explanation, I would accept it as being valid. But that deals
2. with only a small percentage of these total cases. So I'll
3. accept your explanation as being true. And then...and then
4. we're faced with the bill that deals with ninety-nine percent
5. of the cases and I suggest to you, Senator Rhoads, after I...
6. we have talked exhaustively about this matter. I suggest to
7. you that this bill has in it all of the safeguards that we
8. could possibly want. In the first place you can not expunge
9. any record if you have a record of conviction of any crime,
10. whatsoever, you just cannot come under the pale of this
11. legislation, but if you have successfully expunged their
12. record, then, as I understand Senator D'Arco situation, you
13. can in all cases accept those involved in supervision. Am I
14. correct?

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Senator D'Arco.

17. SENATOR D'ARCO:

18. You can even expunge the arrest record in supervision
19. cases immediately upon determination of the supervision
20. period, since we passed the law to take away the three year
21. lag time. Now...did Rhoads leave the Floor? Oh no, he's over
22. there talking to somebody, but he's too involved to be
23. interested in what we're doing. But that's my understanding
24. of it...

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. Senator Washington.

27. SENATOR WASHINGTON:

28. Then I can only say this to Senator Rhoads. The legislature
29. has spoken and they've decided to take out the three year lag.
30. That's a fact. We voted on that. As to expungement, if that is,
31. in fact, a fact then why should we hold up this bill, which is
32. a logical continuum to the expungement, which we have out from
33. experience doesn't do that which we set out to do some four or

1. five years ago.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. Senator Rhoads.

4. SENATOR RHOADS:

5. Well, it isn't at all clear that the two actions were
6. considered at the same time or in the same context. They were
7. in two separate bills and things got lost in the shuffle. I'm
8. not...I'm still uneasy about you bill, Senator Washington, and
9. it's not a great crusade. It's not the biggie for the
10. Governor. I'd...

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Any further discussion? Senator Washington.

13. SENATOR WASHINGTON:

14. Senator Rhoads and I did agree that if this bill presented
15. any problem that we would certainly move to redress whatever
16. problem found in it. I assume that's what he meant. It's a
17. good piece of legislation. It's not...may not be a biggie
18. for the Governor but it's a biggie for people who are harassed
19. by records when they have no guilty convictions. And they are
20. oft times denied employment. This is a serious, serious matter
21. in certain sections of our society and we have to address our-
22. selves to it. It is a matter of public policy. At least, five
23. years old that we want to do something about that case. This
24. is a logical extension to it and I seriously urge in this one
25. case that we override the Governor.

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. Any further discussion? The question is, shall Senate
28. Bill 653 pass the Veto of the Governor to the contrary not-
29. withstanding. Those in favor vote Aye. Those opposed vote
30. Nay. The voting is open. Have all voted who wish? Have all
31. voted who wish? Mr. Secretary, take the record. On that
32. question, the Ayes are 35, the Nays are 15. The motion to
33. override Senate Bill 653 fails. Any further business to come

1. before the Senate? The Chair wishes to recognize Senator
2. Nimrod first, then Senator Buzbee. You waive...then Egan?
3. For what purpose does Senator Nimrod rise?

4. SENATOR NIMROD:

5. Yes, I have a...a bill on 3rd reading, 1387 and also
6. there was a motion filed on Senate Bill 1142.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. With leave the Senate will go to Senate Bills on
9. 3rd reading. Mr. Secretary, will you read Senate Bills...
10. Senator Rock.

11. SENATOR ROCK:

12. Question of parliamentary inquiry. Are...are all the
13. motions that have been filed, in fact, disposed of before
14. we go to...to revert to the Order of the Calendar?

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. There's a motion on Senate Bill 1142. Senator Hynes.
17. SENATOR HYNES:

18. Well, just to reiterate what Senator Rock said. We'd like to
19. finish any motions with respect to actions by the Governor
20. now and then we can clean up any other matters. But once we
21. finish them we're not going to come back to them. So any
22. member having a motion and wishing to call it should do it
23. now.

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. You've heard the suggestion of the President. Buzbee,
26. Senator Buzbee, what do you wish to be recognized for?

27. SENATOR BUZBEE:

28. Well, I have a matter on Postponed...Consideration,
29. however, I think that Senator Nimrod indicated he also had
30. another motion filed on a bill that was on the Governor's
31. action and since he had the Floor before I...did, I think
32. it's only...you ought to let him go first.

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. The Chair is just merely inquiring. Now Senator Egan,
2. what's your purpose for rising?

3. SENATOR EGAN:

4. Yes, I had a motion relative to Senate Bill 752 to
5. override on Line Item Veto that I took from the record.
6. That motion is still on the Secretary's Desk and I would
7. like to have it heard.

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. Okay now. We're going to call Senator Nimrod's bill.
10. But if any Senators have any motions up here let's...let's
11. get up here and let's get it straightened out. Come up
12. to the...to the...to the Secretary. We're going to go now
13. with Senator Nimrod, Senate Bill 1142. That's what he
14. wants. Okay. Senator Nimrod, the Chair recognizes you, Sir.

15. SENATOR NIMROD:

16. Yes, Mr. President and fellow Senators. I would move to
17. accept the Specific Recommendation of the Governor as to
18. Senate Bill 1142 in the following manner. The Governor
19. addressed himself to five amendatory changes, however, in
20. one of the areas pertaining to the powers of the commission
21. the specific language, which he made a change to, is recommended
22. that we change that to allow the commission to approve or to
23. disapprove projects that are presented to them for their
24. evaluation and review. What's happened here in this particular
25. case is, is that as 1142 was passed the powers of the commission
26. instead of the commission approving the projects which are
27. presented to them on the funds approved by the seventy million
28. dollar Coal Development Fund Act. What we are doing is, having
29. that power, instead, remain with the General Assembly to approve
30. rather than with the hands of the commission. But the commission
31. would certainly make its recommendation of approval or disapproval
32. of each project. That's the only different item that's been
33. changed on Section IV, that pertains to the Governor's

1. recommendation. The Governor's Office has approved this
2. change and will accept it in the manner as provided for in
3. this motion.

4. PRESIDING OFFICER: (SENATOR JOHNS)

5. Any further discussion? Senator Donnewald then Senator
6. Buzbee.

7. SENATOR DONNEWALD:

8. Yes, Mr. President and members of the Senate. On the
9. last day of the Session, I think it was June 30, at approximately
10. four o'clock a.m. on July 1st this bill was a bad bill then and
11. today on...on...what date is it, the 10th of November...the
12. 8th of November, it's still a bad bill and I would urge it
13. sound defeat.

14. PRESIDING OFFICER: (SENATOR JOHNS)

15. Senator Buzbee is recognized now.

16. SENATOR BUZBEE:

17. Well, my opposition is for an entirely different reason
18. than Senator Donnewald's is. However, I intend to vote the
19. same way he's going to vote. The Energy Resources Commission
20. had a commission meeting some three or four weeks ago and at
21. that time the commission members instructed the legislative
22. members of the commission that if we could arrive at some
23. language that was acceptable to those of us, the legislative
24. members, that they would favor our trying to either accept
25. or amendatorily...override the amendatory veto. I will have to
26. tell you that it is not the desire of the legislative members
27. of the Energy Resources Commission to accept this language.
28. I talked to Representative Lucco about thirty minutes ago.
29. He is the chairman, the new chairman of the commission. He
30. tells me he does not approve of this language. I do not
31. approve of it. I don't know about Senator Knuppel, but anyhow
32. it is...in fact I have been told that it is the unanimous
33. decision of the legislative members of the commission with the

1. exception of Senator Nimrod that we not accept this language,
2. that we, in fact, kill the bill. We start over with the
3. concept of the reorganization next Spring and as has already
4. been established by this administration he doesn't even have
5. to have legislation in a lot of cases to reorganize his own
6. Executive Department. He can do it by administrative...order.
7. So, therefore, I rise in opposition to this amendatory changing
8. of the Governor's Amendatory Veto.

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Any further discussion? Senator Nimrod.

11. SENATOR NIMROD:

12. Yes, thank you, Mr. President. I also spoke to
13. Representative Lucco who is the chairman and he will handle
14. this bill and work on passage of this bill if it goes over
15. to the other side. However, that's not the issue at this
16. particular point. I think that the important thing is, is
17. that this bill means that if this bill is killed, it means
18. that we are then saying to the legislature...to ourselves
19. that we do not want to approve these projects. That we're
20. going to let public members and legislators vote on the
21. distribution of funds. Now, that has been found to be wholly
22. inconsistent. There are some problems that had to do with the
23. miners and the ..., but I think the Governor will go ahead
24. at any rate and he will set up a department what...without
25. having legislative authority...a legislative direction in
26. this particular area. I think it's important. This bill
27. has been discussed and does approach itself to solve the
28. problem of setting up a Department of Energy and Mines.
29. The Governor has, with great deliberation and consideration has
30. said that this bill...he will work with it. Has to have the
31. implementation for it and it does give General Assembly
32. supervision and approval. By us not doing this then we are
33. saying that we don't want to have approval of the distribution

1. of these funds. So we...we are putting the projects in
2. jeopardy, whether they can be approved or not. And I realize
3. that there are other reasons on the other side why you do not
4. want to support this bill and it seems to me that that would
5. be better to approach it at that side rather than say it has to
6. do with the legislative members. Not to...approving this.
7. This is a very good bill. I think it satisfies the problems
8. and it certainly can be changed and I would ask for a favorable
9. roll call.

10. PRESIDING OFFICER:(SENATOR JOHNS)

11. (Machine cutoff)first appeared. Senator Glass. Then Rock.
12. Then Buzbee. (Machine cutoff) he's answering your question.
13. I thought he was concluded. All right. What's your point,
14. Senator Buzbee?

15. SENATOR BUZBEE:

16. Well, Senate, my point is this. Senator Nimrod just
17. indicated that the Chairman of the Commission, Representative
18. Lucco, indicated he was going to favor this legislation. That
19. is not so, Senator Nimrod. I talked to Representative Lucco
20. no later than twenty minutes ago, he assured me he does not
21. favor that language change you're recommending and...I said
22. this in my earlier statement, I bring it up again now because
23. you just got through saying that he does and he does not.

24. PRESIDING OFFICER:(SENATOR JOHNS)

25. Thank you, Senator Buzbee. Senator Glass, what's your
26. purpose for arising?

27. SENATOR GLASS:

28. I...I...

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. Not on this issue. He was to conclude...

31. SENATOR GLASS:

32. Has he closed already? Oh, all right. Then I will...
33. I will yield.

1. PRESIDING OFFICER: (SENATOR JOHNS)

2. Senator Rock, what's your purpose for rising, Sir?

3. SENATOR ROCK:

4. Parliamentary inquiry...What is the Gentlemen's motion?

5. Is it to accept the amendatory veto?

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Yes.

8. SENATOR ROCK:

9. No...that's not my understanding. Is he, in fact, accepting
10. the Governor's changes?

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Yes. Senator Buzbee.

13. SENATOR BUZBEE:

14. He is not accepting the Governor's amendatory changes.

15. He has filed a motion to amend the Governor's amendatory changes.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. Just a moment. Just a moment,now. Now just be witness
18. just a moment. I announced Senator Nimrod. What's your
19. purpose?

20. SENATOR NIMROD:

21. Chairman, I think the Chair can go ahead and read what
22. the motion is and certainly, we don't have to have the
23. individual Senator saying what I'm saying. If you want to
24. know what I am purposing I'd be glad to tell you. Otherwise
25. you can read the motion from the Secretary and again, I do
26. say my last conversation with Representative Lucco did not
27. indicate what Senator Buzbee had indicated.

28. PRESIDING OFFICER:(SENATOR JOHNS)

29. Senator Rock.

30. SENATOR ROCK:

31. Parliamentary inquiry. Frankly, I don't care what
32. Representative Lucco does or doesn't do. My question is,
33. what is the motion? Is it a motion to accept in the specific

1. form as the Governor has recommended or are we changing what
2. the Governor has recommended?

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Mr. Secretary, read the motion. It's lengthy. Two or
5. three pages. Senator Nimrod.

6. SENATOR NIMROD:

7. Mr. President, in order to answer Senator Rock, if you...
8. with your permission I might just note where this differs
9. from what the Specific Recommendations of the Governor's
10. request was. Would you like to know that?

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Senator Rock, is that what you wish? Well...

13. SENATOR ROCK:

14. The...question then is and my question was, I thought,
15. a simple one. Are...are we accepting what the Governor has
16. recommended or are we not?

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. Senator Nimrod.

19. SENATOR NIMROD:

20. ...we are accepting the Specific Recommendations of the
21. Governor except for page 30 on lines 31, 32, and 33 where we
22. are rewriting those words to put in place of what the Governor
23. said to have the commission approve...in addition to evaluate,
24. review, approve or disapprove said projects. A statement of
25. the findings to be forwarded to the General Assembly on all
26. projects for which an appropriation from the Coal Development
27. Bond is sought by the department. What we're saying is that
28. we're adding the words "approve and disapprove" by the commission
29. and send it to the General Assembly. We're saying that is
30. different than what the Governor had made his specific changes.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Senator Rock.

33. SENATOR ROCK:

1. I needn't pursue this, Mr. President. I...would probably
2. ask of Chair, how many votes does it take to not accept the
3. Governor's Specific Recommendations for Change or to change
4. the Governor's Specific Recommendations for Change? I think...
5. I think we...it should take at least a hundred and fifty.
6. You know, whatever Representative Lucco wants to do. I...I
7. would suggest we just have a roll call.

8. PRESIDING OFFICER:(SENATOR JOHNS)

9. 30 votes. (Machine cutoff) what it says. It's in black
10. and white. On that question, shall the Senate accept the
11. Specific Recommendations of the Governor as to Senate Bill
12. 1142 in the manner and form just stated by Senator Nimrod.
13. Those in favor vote Aye. Those opposed vote Nay. The
14. voting is open. Have all voted who wish? Have all voted
15. who wish? Take the record. On that question, the Ayes are
16. 15, the Nays are 30. The motion to accept fails. Senator
17. Buzbee, did you have something you wish to propose?

18. SENATOR BUZBEE:

19. Yes. Senate Bill 834 on Postponed Consideration.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Senate Bill 834. Senator Buzbee.

22. SENATOR BUZBEE:

23. Thank you, Mr. President. Mr. President, Senate Bill
24. 834, I guess I probably know before we even start, what's
25. going to be the result. There will be, probably 34 affirmative
26. votes and about 21 or 22 or 23 negative votes. I'm...I am
27. willing to accept the completely partisan roll call. However,
28. I am not willing to accept the Governor's going back on his
29. word continually. Especially when accusations have been made
30. from that side of the aisle that, perhaps, there are other
31. people who have been going back on their word. Again, I...
32. indicate to you that on the Governor's Message to the General
33. Assembly, his Energy Message of April the 6th, 1977 he said

1. that on the conservation side there are at least 14 bills
2. proposed by the Energy Resources Commission that are
3. desirable with relatively minor amendments. I will sign
4. them if the General Assembly passes them. We passed Senate
5. Bill 834, which was one of those 14 bills he spoke of. In
6. the Senate we passed it 49 to 0, in the House they passed it
7. 147 to 0 and then the Governor decided that he didn't like the
8. way it was written and he completely vetoed it instead of
9. making some amendatory vetoes, if there was some technical
10. incorrect statements in there. So, I'll take the partisan
11. roll call, Mr. President, and we'll just let the people of
12. this State know who, in fact, is for...for energy conservation
13. in Illinois.

14. PRESIDING OFFICER: (SENATOR JOHNS)

15. Any further questions? Any further discussion? The
16. question is, shall Senate Bill 834 pass the Veto of the
17. Governor to the contrary notwithstanding. Those in favor
18. vote Aye. Those opposed vote Nay. The voting is open.

19. What purpose does Senator Hynes arise?

20. SENATOR HYNES:

21. Parliamentary inquiry. If you wish to vote in favor of
22. energy conservation, how do you vote, Mr. President?

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. Aye.

25. SENATOR HYNES:

26. Aye.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Have all voted who wish? Have all voted who wish?
29. Mr. Secretary, take the record. On Senate Bill 834 the Ayes
30. are 35, the Nays are 15. The motion to override fails. Any
31. further...Senator Weaver.

32. SENATOR WEAVER:

33. Mr. President, could we verify the affirmative roll call?

1. PRESIDING OFFICER: (SENATOR JOHNS)
2. The motion failed, Senator Weaver.
3. SENATOR WEAVER: :
4. I was just wondering if we could verify those who had
5. voted Aye on this.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. There's no point in it, Sir.
8. SENATOR WEAVER:
9. There might be.
10. PRESIDING OFFICER: (SENATOR JOHNS)
11. Senator Rock.
12. SENATOR ROCK:
13. Point of Order, Mr. President. The Chair is never
14. expected to make an advisory type ruling. Fact of the matter
15. is, the motion failed. The board should be cleared. Next
16. case.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. Thank you, Senator. (Machine cutoff)...
19. SENATOR WEAVER:
20. Well, Mr. President. Partisan allocations were made and
21. I just think we should verify it.
22. PRESIDING OFFICER: (SENATOR JOHNS)
23. There's nothing else to be handled. The Chair is going
24. to rule the business of that particular question is finished.
25. That there's no changing of votes that have been withdrawn.
26. There's been...none can be added so the Chair is going to
27. rule that business is finished. (Machine cutoff) item.
28. Senator Egan.
29. SENATOR EGAN:
30. Thank you. I'll be very brief, Mr. President and members
31. of the Senate. I took this from the record at the request of
32. Senator Rhoads to find out factually just where this budget
33. was when it came to the Senate. This money is to provide for

1. the funding...the continuing funding for the Police Training
2. Institute at the University of Illinois. They...they have,
3. in fact, over the last four years accomplished the training
4. or the part time teaching and instruction continuing education
5. of thirty-nine hundred and twenty-four officers...

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Pardon me, Senator Egan, what's the number of the bill
8. and where is it?

9. SENATOR EGAN:

10. It's Line Item Veto on page 10 of the Omnibus Bill,
11. Senate Bill 752. Lines 24 through 30 on page 10. Now, I
12. am told that the...the University of Illinois budget requested
13. the sum of two hundred twenty-one thousand dollars for the
14. matching funds...to match Federal funds for the Police Train-
15. ing Institute. In the past four years the Illinois Law
16. Enforcement Commission has provided these funds and they
17. did not this year. The University put it in its budget and
18. when the budget was submitted after the Governor's attention
19. to that budget it had been depleted when it came to the Senate.
20. Consequently, we are adding the money in the Omnibus Bill so
21. that the University can match the Federal funds. Those funds
22. are still available until the 31st of January. I am told that
23. the University can match these funds with the present funding
24. that it has. However, it is indicated by the University that
25. they will not do so. So just...so that everyone understands
26. the record is clear and so that Representative Kosinski is
27. satisfied why this situation is as imperiled as it is, I'm
28. going to ask that we have a roll call. I'm not really
29. that...that satisfied myself, Senator Shapiro. That's all.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Senator Rhoads is recognized.

32. SENATOR RHOADS:

33. Well, Senator Egan is correct up to the point where he

1. says that...that he and I both talked with Mr. Mandeville.
2. I have to come down on the side of Mr. Mandeville. He'd...
3. apparently the money was not in the budget originally. The
4. University does have the money. You say they choose not to
5. do...not to do so, I...I agree with you. I think that's too
6. bad. I think they ought to continue funding this program.
7. The fact remains that they do have money in their budget to
8. do it. So I think we ought to sustain the Governor's Veto.
9. PRESIDING OFFICER:(SENATOR JOHNS)

10. Senator Egan.

11. SENATOR EGAN:

12. No, they don't have money, specifically, for this project.
13. What has been said is, that they've got more money than they
14. had last year if they want to spend it on this project they
15. can. Now, to insure that this project go ahead, we should
16. vote to override the veto. Then we're sure it'll go ahead.
17. If we don't do that then it's up to the University and those
18. of us who vote negatively against the program or against the
19. money that...that we're taking a chance.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Any further discussion? On that...the question is, shall
22. the item on page 10, lines 24 through 30 of Senate Bill 752
23. pass the Item Veto of the Governor to the contrary notwith-
24. standing. Those in favor vote Aye. Those opposed vote Nay.
25. The voting is open. Have all voted who wish? Have all voted
26. who wish? Mr. Secretary, take the record. On that question,
27. the Ayes are 34, the Nays are 15. Senate Bill 752 fail
28. Any further business to come before the Senate?

29. SENATOR HYNES:

30. Lunch...lunch will be served at four o'clock.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Hynes.

33. SENATOR HYNES:

1. Mr. President, I think that concludes action on the
2. Governor's Messages. The item that we have remaining to
3. do now is the reading of the Messages from the House and
4. to read the...the House Bills that are read in the first
5. time and I would ask leave to follow that...of the Body
6. to follow that procedure and once that is completed we
7. will have the Regular Session stand at recess until subject
8. to the call of the Chair and then we will open and close
9. promptly the two Special Sessions.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Do you wish to go to Senate Bills, 3rd? Messages from
12. the House. Oh, all right. House Bills, 1st reading.

13. SECRETARY:

14. House Bill 2433 sponsored by Senator Davidson.
15. (Secretary reads title of bill)
16. 1st reading of the bill.

17. House Bill 2464 sponsored by Senator D'Arco and Nimrod.
18. (Secretary reads title of bill)
19. 1st reading of the bill.

20. House Bill 2468 sponsored by Senator Moore.
21. (Secretary reads title of bill)
22. 1st reading of the bill.

23. House Bill 2471 sponsored by Senator Bowers.
24. (Secretary reads title of bill)
25. 1st reading of the bill.

26. House Bill 2472 sponsored by Senator Coffey.
27. (Secretary reads title of bill)
28. 1st reading of the bill.

29. House Bill...2475 sponsored by Senator Berning.
30. (Secretary reads title of bill)
31. 1st reading of the bill.

32. House Bill 2476 sponsored by Senator Moore.
33. (Secretary reads title of bill)

1. 1st reading of the bill.
2. House Bill 2480 sponsored by Senator Bowers.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. House Bill 2482 sponsored by Senator Smith.
6. (Secretary reads title of bill)
7. 1st reading of the bill.
8. House Bill...
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Hold it...hold it, Mr. Secretary. Hold on just a minute.
11. Mr. President...Senator Hynes.
12. SENATOR HYNES:
13. Mr. President, it has come to my attention there are two
14. non-controversial bills on 3rd reading, which the sponsors
15. would like to call for passage so that they can get over to
16. the House promptly. So I...I'd like to alert to the member-
17. ship we will go to that as soon as these messages have been
18. read in. They are non-controversial and...and should take
19. no debate.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Senator Maragos, for what purpose do you arise?
22. SENATOR MARAGOS:
23. For a personal announcement again Senator...I mean, Mr.
24. President. I like the Senators who are on the Ad Hoc Committee
25. please meet with...right around the seat of Vivian Hickey, please.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. I...I...I...even repeat that. All right, Mr. Secretary,
28. proceed.
29. SECRETARY:
30. House Bill 2484 sponsored by Senator Nimrod.
31. (Secretary reads title of bill)
32. 1st reading of the bill.
33. House Bill 2434 sponsored by Senator Schaffer.

1. (Secretary reads title of bill)
2. 1st reading of the bill.
3. Senate Bill 2467 sponsored by Senator Sommer.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. House Bill 2473 sponsored by Senator Walsh.
7. (Secretary reads title of bill)
8. 1st reading of the bill.
9. House Bill 2474 sponsored by Senator Schaffer.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. House Bill 2478 sponsored by Senator Schaffer.
13. (Secretary reads title of bill)
14. 1st reading of the bill.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Rules Committee. Resolutions.
17. SECRETARY:
18. Senate Resolution 250 offered by Senator Hynes and
19. Daley. It's congratulatory.
20. Senate Resolution 251 offered by Senator Hynes and all
21. Senators and it's congratulatory.
22. Senate Resolution 252 offered by Senator Joyce and it's
23. congratulatory.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Consent Calendar. On the Order of Senate Bills, 3rd
26. reading. Ring the bell, Mr. Secretary. On the Order of
27. Senate Bills, 3rd reading, Senate Bill 1387. Read the bill,
28. Mr. Secretary.
29. SECRETARY:
30. Senate Bill 1387.
31. (Secretary reads title of bill)
32. 3rd reading of the bill.
33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Yes, Mr. President, just very briefly, this bill is needed

4. in order to correct a problem that existed in Senate Bill

5. 1019. It corrects an error and if there are any questions

6. I'd be happy to answer them. If not, I ask for a favorable

7. roll call.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Any discussion? Senator Demuzio.

10. SENATOR DEMUZIO:

11. I have one question to the sponsor...

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Sponsor indicates he will yield. Senator...

14. SENATOR DEMUZIO:

15. Is Representative Lucco supporting this bill?

16. PRESIDING OFFICER:(SENATOR ROCK)

17. Senator Nimrod.

18. SENATOR NIMROD:

19. You will have to ask Senator Buzbee.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Further discussion? Question is, shall Senate Bill 1387

22. pass? Those in favor will vote Aye. Those opposed will vote

23. Nay. The voting is open. Have all voted who wish? Have all

24. voted who wish? Take the record. On that question, the Ayes

25. are 57, the Nays are None. None Voting Present. Senate Bill

26. 1387 having received the constitutional majority is declared

27. passed and the bill having received the affirmative vote of

28. three-fifths of the members elected is effective immediately

29. upon its becoming a law. On the Order of Senate Bills, 3rd

30. reading, Senate Bill 1388. Read...read the bill, Mr. Secretary.

31. SECRETARY:

32. Senate Bill 1388.

33. (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Donnewald.

4. SENATOR DONNEWALD:

5. Yes, Mr. President. This is an easement bill and it is
6. necessary because the Federal Government will not make certain
7. grants to the City of Maryville in Madison County if it is
8. not passed. I would urge your favorable support.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Is there any discussion? Question is, shall Senate Bill
11. 1388 pass? Those in favor will vote Aye. Those opposed will
12. vote Nay. The voting is open. Have all voted who wish?
13. Have all voted who wish? Take the record. On that question,
14. the Ayes are 56, the Nays are None. None Voting Present.
15. Senate Bill 1388 having received the constitutional majority
16. is declared passed and the bill having received the affirmative
17. vote of three-fifths of the members elected is effective
18. immediately upon its becoming a law. Senator Hynes.

19. SENATOR HYNES:

20. Before putting a motion that the Senate stand in recess,
21. the Regular Session that is, I would like to outline the
22. schedule for today and tomorrow...once again. There will be
23. a meeting...there will be a meeting of the Rules Committee in
24. the President's Office at four p.m. The Judiciary Committee
25. will meet immediately after the Session and the Regular Session
26. will be recessed subject to the call of the Chair for purpose
27. of receiving messages and committee reports. We'll then go...
28. we will now go into the two Special Sessions and they will be
29. adjourned until tomorrow and the times for tomorrow are as
30. follows: ten-thirty for the Regular Session, ten forty-five
31. for the 1st Special Session and eleven for the 2nd Special
32. Session. If there is no further business, Mr. President, I
33. would move...

1. SENATOR ROCK:

2. Senator Shapiro.

3. SENATOR SHAPIRO:

4. Yes, an announcement, Mr. President. For the record, I
5. would like to show that Senator Regner was absent yesterday
6. and today, due to illness of his father.

7. SENATOR ROCK:

8. The record will so show. Senator Hynes now move that
9. the Regular Session stand in recess until the call of the
10. Chair.

11. (RECESS)

12.
13. (END OF RECESS)

14.
15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The Senate will come to order. Committee Reports.

17. SECRETARY:

18. Pursuant to Temporary Rule 5, the Rules Committee met at
19. four p.m. November the 8th, 1977 and makes the following report:
20. 1. by majority vote the committee ruled that the Committee on
21. Agricultural, Conservation and Energy can make a final determination
22. on House Bill 2118. 2. by majority vote the committee ruled
23. that Senate Bill 183 can be considered during the Fall Session
24. of the Senate. 3. by unanimous vote the committee ruled that
25. the following bills can be considered during the Fall Session
26. of the Senate. House Bills 1500, 2433, 2434, 2464, 2467, 2468,
27. 2471, 2472, 2473, 2474, 2475, 2476, 2478, 2480, 2482, and 2484.
28. Also, Senate Bills 1261, 1384, and 1395.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Messages from the House.

31. SECRETARY:

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

33. Mr. President - I am directed to inform the Senate

1. that the House of Representatives passed bills with the following
2. titles in the...the Veto of the Governor notwithstanding in the
3. passage of which I am instructed to ask concurrence of the
4. Senate to-wit: House Bills 245, 312, 333, 508, 563, 585, 595,
5. 651, 945, 990, 991, 1109, 1183, 1185, 1200, 1218, 1502, 1753,
6. 2338, 2340, and 2350.

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

8. Mr. President - I am directed to inform the Senate
9. that the House of Representatives has restored to the original
10. amount the items reduced by the Governor, which is attached in
11. a bill with the following title in which I am instructed to ask
12. concurrence of the Senate to-wit: House Bill 973.

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

14. Mr. President - I am directed to inform the Senate
15. that the House of Representatives has passed bills with the
16. following titles: The Governor's Specific Recommendations for
17. Change notwithstanding in the passage of which I am instructed
18. to ask concurrence of the Senate to-wit: House Bills 571, 687,
19. 1010, and 2069.

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

21. Mr. President - I am directed to inform the Senate
22. that the House of Representatives has accepted the Governor's
23. Specific Recommendations for Change which are attached to bills
24. with the following titles in the adoption of which I am instructed
25. to ask concurrence of the Senate to-wit: House Bills 31, 212,
26. 232 with a three-fifths vote, 286 with a three-fifths vote, 314,
27. 351, 360, 480, 602, 603, 657, 658, 659, 737, 748 with a three-
28. fifths vote, 760, 931, 1018...1097, 1186, 1201, 1216 with a
29. three-fifths vote, 1217 with a three-fifths vote, 1284, 1397,
30. 1415, 1680, 1732, 1752, 1802, 2022, 2161, 2259 with a three-
31. fifths vote, 2308 and 2343 with a three-fifths vote.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The Senate will stand in recess subject to the call of

1. the Chair.

2. (RECESS)

3.
4. (END OF RECESS)

5.
6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The Senate will come to order. Messages from the House.

8. SECRETARY:

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

10. Mr. President - I am directed to inform the Senate
11. that the House of Representatives passed a bill with the follow-
12. ing title the Veto of the Governor notwithstanding in the
13. passage of which I am instructed to ask concurrence of the
14. Senate to-wit: House Bill 186.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Later today...further business to come before the Senate.
17. Senator Glass moves the Senate stand adjourned until tomorrow at the
18. hour of ten-thirty. All in favor say Aye. Opposed Nay. The Ayes
19. have it. The Senate stands adjourned until ten-thirty.

20.
21. (END OF REEL)

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