

81ST GENERAL ASSEMBLY

REGULAR SESSION

OCTOBER 16, 1979

1. PRESIDENT:

2. The hour of twelve having arrived the Senate will please
3. come to order. Will the members please be in their seats, our
4. guests in the gallery please rise. The prayer this afternoon by
5. Father Jack Fricker, from the Newman Center in Carbondale Illinois.
6. Father.

7. FATHER FRICKER:

8. (Prayer given by Father Jack Fricker)

9. PRESIDENT:

10. Thank you, Father. Reading of the Journal. Senator Johns.

11. SENATOR JOHNS:

12. Thank you, Mr. President. I move that the Journal just
13. read by the Secretary be approved unless some Senator has...has
14. additions or corrections to offer.

15. PRESIDENT:

16. You've heard the motion. All in favor signify by saying
17. Aye. All opposed. The Ayes have it. So ordered. Resolutions.

18. SECRETARY:

19. Senate Resolution 271, offered by Senators Lemke, Daley, D'Arco,
20. Rock and Savickas, it's congratulatory. Senate Resolution 272,
21. offered by Senator D'Arco, it's congratulatory. Senate Resolution
22. 273, offered by Senator Bruce and all Senators and it's congratu-
23. latory. Senate Resolution 274, offered by Senators Mitchler,
24. Grotberg, Bowers, and Graham, and it's congratulatory. Senate
25. Resolution 275, offered by Senators Mitchler and D'Arco, and it's
26. congratulatory. Senate Resolution 276, offered by Senators Keats
27. and all Senators, and it's a death resolution. Senate Resolution
28. 277, offered by Senators...Senator De Angelis and all Senators,
29. and it's a death resolution.

30. PRESIDENT:

31. Consent Calendar. Senator Mitchler is now on the Floor,
32. Mr. Secretary. Further resolutions?

33. SECRETARY:

1. Senate Resolution 278, offered by Senators...Senator
2. Mitchler and all Senators, and it's congratulatory.

3. PRESIDENT:

4. Senator Mitchler.

5. SENATOR MITCHLER:

6. Mr. President, and members of the Senate. This resolution
7. is for a former colleague from the House of Representatives and
8. the former Director of the Department of Veterans Affairs who is
9. being awarded the Man of the Year Award, by the combined Veterans
10. Association of Illinois, and the event will held tomorrow
11. night in the City of Chicago. I know many of us would be there
12. with John Houlihan, the honoree and this resolution is our
13. expression of appreciation and acknowledgment of that award.
14. Therefore, I'd like to have the rules suspended for the immediate
15. consideration and adoption of this resolution. Thank you.

16. PRESIDENT:

17. Senator Mitchler has moved to suspend the rule...Senator
18. Mitchler has moved to suspend the rules for the immediate
19. consideration and adoption of Senate Resolution 278. All in favor
20. of the motion to suspend signify by saying Aye. All opposed.
21. The Ayes have it. The rules are suspended. Senator Mitchler
22. seeks leave to show all members as co-sponsors. Is leave granted?
23. Leave is granted. Senator Mitchler now moves the adoption of
24. Senate Resolution 278. Any discussion? If not, all in favor
25. signify by saying Aye. All opposed. The Ayes have it. The
26. resolution is adopted. Resolutions.

27. SECRETARY:

28. Senate Joint Resolution No. 70, constitutional amendment,
29. offered by Senators Lemke, Nedza, Nega, Nash and D'Arco.

30. PRESIDENT:

31. Executive. Resolutions.

32. SECRETARY:

33. Senate Joint Resolution 71, offered by Senators Nash,

1. Nedza, Nega, and all members, it's congratulatory.

2. PRESIDENT:

3. Senator Nash.

4. SENATOR NASH:

5. Mr. President, and Ladies and Gentlemen of the Senate.

6. I move that we suspend the rules for this resolution.

7. PRESIDENT:

8. Senator Nash has moved to suspend the rules for the
9. immediate consideration and adoption of Senate Joint Resolution
10. 71. Is there any discussion? If not, all in favor signify by
11. saying Aye. All opposed. The Ayes have it. The rules are
12. suspended. Senator Nash now moves the adoption of Senate
13. Joint Resolution 71. All in favor signify by saying Aye. All
14. opposed. The Ayes have it. The resolution is adopted.
15. Senator Graham, for what purpose do you arise?

16. SENATOR GRAHAM:

17. On a point of personal privilege, Mr. President.

18. PRESIDENT:

19. State your point, Sir.

20. SENATOR GRAHAM:

21. First of all, I'd like to thank the members of the
22. Senate for that wonderful floral array that I had over in
23. St. John's Hospital. Thank all of you for the many cards and
24. letters and prayers, that were issued in my behalf. I had a
25. nice thirteen day stay. The doctors say that...everything is
26. in good shape, my disposition hasn't changed any, and I have
27. learned perhaps that we really know in time of need
28. what the value of friends and the power of prayer is, and
29. I'm grateful to all of you.

30. PRESIDENT:

31. Senator Donnewald for what purpose do you arise?

32. SENATOR DONNEWALD:

33. Yes, Mr. President, to announce the schedule for this

1. week. We've talked it over with Senator Shapiro, and the
2. schedule for this week will be passed around to the membership
3. immediately. For both weeks, I'm sorry.

4. PRESIDENT:

5. All right, Mr. Sergeant-at-Arms can we get a couple of
6. Pages to pass out the schedule. All right, if I can have
7. the attention of the membership we will begin with leave of
8. the Body on page 2 on the Calendar, on the Order of Total
9. Vetoes. Throughout the Calendar there have been fifty-five
10. motions filed by members, we will just go right down the line,
11. if any members wishes to call his or her motion they are
12. certainly welcome, otherwise we'll just carry on until tomorrow.
13. On the Order of Total Vetoes, page 2 on the Calendar, Senate Bill
14. 5, Senator D'Arco. Senate Bill 41, Senator Lemke. Senate Bill
15. 47, Senator Lemke. Senate Bill 87, Senator Maragos. Senate
16. Bill 101, Senator Schaffer. Senate Bill...Senate Bill 106,
17. Senator Sangmeister. Senate Bill 250, Senator Berning. Yes, Sir.
18. There was no motion filed, Senator Chew, you have to file a motion.
19. Senate Bill 250, Senator Berning. Senate Bill 296, Senator
20. Hall. Senate Bill 307, Senator Bloom. Senate Bill 446, Senator
21. Netsch. Senate Bill 459, Senator Coffey. Senate Bill 492,
22. Senator Maragos. Senate Bill 659, Senator Demuzio. Senate
23. Bill 798, Senator Egan. Senate Bill 809, Senator Davidson.
24. Senate Bill 883, Senator Davidson. Senate Bill 909, Senator
25. Carroll. Senate Bill 910, Senator Regner. Senate Bill 1137,
26. Senator Mitchler. All right, on the Order of Total Vetoes,
27. the motion filed with respect to Senate Bill 1137, Mr. Secretary
28. read the motion.

29. SECRETARY:

30. I move that Senate Bill 1137 Do Pass the veto of the Governor
31. to the contrary notwithstanding. Signed Senator Mitchler.

32. PRESIDENT:

33. Senator Mitchler.

1. SENATOR MITCHLER:

2. Mr. President, and members of the Senate. Senate Bill
3. 1137 is a bill that passed this House by a vote of 46 to 4,
4. on May 22, 1979. It also passed the House with a large affirmative
5. vote. However, the Governor did see fit, in his wisdom, to veto
6. the bill totally. Now the bill provides that the Sales Tax
7. will not be charged on the tip or the gratuity that's placed on
8. the purchase of a meal when the gratuity is mandatory. Now
9. mandatory, tipping occurs at different clubs or when you have
10. banquets or when there are more than say ten in a group going
11. into a restaurant, and the tax is required to be computed on
12. the purchase of the meal and the gratuity. Now, Senate Bill
13. 1137, exempted, by Statute, the tax being placed on the meal
14. and the gratuity, the tax would only be placed on the meal.
15. Now, for example, let's take the Sangamo Club or one of the
16. clubs that have a mandatory gratuity of say fifteen percent.
17. They are required to take the Sales Tax and charge the customer
18. Sales Tax on both the purchase of the meal and the gratuity.
19. This would exempt the Sales Tax placed on the gratuity. If you
20. have a banquet, a fund-raiser or an event in your home town, a
21. testimonial dinner for one hundred, two hundred, three hundred
22. people or even more, for example the big affair last night, it
23. was charged so much per plate, plus a mandatory gratuity. The
24. Sales Tax was charged on the gratuity. Senate Bill 1137, would
25. say that the Sales Tax should not be charged on the gratuity,
26. but on the meal only. I thought it was good legislation, I introduced
27. it, it has the support of the Illinois Hotel and Motel Association,
28. many of the people in your district. I think you are right when
29. you voted 46 to 4 to pass the bill on May 22nd of this year. I
30. would ask for a favorable vote in my motion to override the
31. Governor's Total Veto of Senate Bill 1137.

32. PRESIDENT:

33. Is there any discussion? Senator Grotberg.

1. SENATOR GROTBORG:

2. Yes, Mr. President, and members of the Senate. I think
3. that perhaps a few of us in the Senate would understand more
4. what Senator Mitchler is about in this because I'm rising
5. in support of his motion to override. When you have a banquet
6. tab for nine dollars plus tax and tip for X number of people,
7. that tip in every restaurant of any size or any hotel is split
8. among the waitress, the chefs, the bartenders, there's a
9. whole bookkeeping function...internal bookkeeping that goes along
10. with it. Now, if we have to add Sales Tax on top of it, it becomes
11. an internal audit function that just drives the industry out of
12. its mind. The simplest thing is not to have the tax on the
13. service portion and to remove the burden of keeping track of
14. every penny of extra load factor that goes on top of a banquet
15. in this very depressed business that we're all in. So I rise
16. very much in support of the fact that a banquet check should be
17. for tax only on the merchandise on the meal itself, disregard
18. taxing the service, that's a questionable constitutional thing
19. to start with, let's clean up the Act, and go along with Senator
20. Mitchler on this override.

21. PRESIDENT:

22. Further discussion? Senator Regner.

23. SENATOR REGNER:

24. Yes, Mr. President, and members of the Senate. I, too, rise
25. in support of this motion to override. The interesting thing
26. about it is that we're asking for extra revenue for the State
27. and it was not done by legislative process, it was regulation put
28. forth by the Department of Revenue. It was challenged by a
29. group up in my district a couple of years ago. I introduced a
30. similar bill, didn't pass it at this...that time, but I think
31. it's excellent legislation, and along with Senator Grothberg's
32. reasoning, I too, support this override motion.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Savickas.

2. SENATOR SAVICKAS:

3. Yes, Mr. President, and members of the Senate. I too,
4. join with the other speakers in support of the override. Senate
5. Bill 1137, will guarantee that those employees who are
6. deserving of this service credit, or service charge or tip
7. will receive it. I would urge our membership to support the
8. full override of Senate Bill 1137.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Egan.

11. SENATOR EGAN:

12. Yes, Mr. President, and members of the Senate. Just to
13. remind you that this had a full hearing in the Revenue Committee.
14. It received a 46 to 4 to 1 vote on the Floor of the Senate, and
15. for reasons that are particular to the staff of the Department
16. of Revenue and to the Governor's own particular interests, they
17. have thwarted our effort. I urge your support.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? Senator Newhouse.

20. SENATOR NEWHOUSE:

21. Thank you, Mr. President. I rise in support of the
22. override of this Total Veto. There's one just...aspect of this
23. I think that everyone needs recognized. There are those of us
24. who deal with people who make a living off tips, and for the
25. past seven, eight, ten years you've probably kept that tip at
26. the same level, so the shoe shine that was once thirty-five
27. cents and is now seventy-five cents or double, the service on
28. that, the tip factor is probably exactly the same. The guy who
29. hikes my car, I was made cognizant of that the other day,
30. I've been giving him a quarter for ten years, well, his costs of
31. living have about tripled in ten years. It is a...I think my
32. point was made.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Is there further discussion? Senator Ozinga.

2. SENATOR OZINGA:

3. I was going to do exactly what you're asking for, as
4. long as everybody's in favor of this question, I would move
5. the previous question.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Mitchler may close.

8. SENATOR MITCHLER:

9. I would like to thank the former speakers, and ask for
10. a favorable roll call.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. The past speakers. The question is, shall Senate Bill
13. 1137 pass, the veto of the Governor of the contrary notwith-
14. standing. Those in favor vote Aye. Those opposed Nay. The
15. voting is open. Have all those voted who wish? Have all those
16. voted who wish? Will the Sergeant-at-Arms...we'll stand at
17. ease for a moment...Stand at ease for a moment while the Sergeant-
18. at-Arms recovers the keys for the switches, we'll be using them
19. some more this afternoon. Senator Vadalabene, for what purpose
20. do you arise?

21. SENATOR VADALABENE:

22. Yes, thank you, Mr. President, and members of the Senate.
23. While we're standing at ease I would like to have recognized a
24. Mr. Ken Perkins from the Venice High School and a group of
25. his senior students. Would they stand, and rise and be recognized.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Please rise and be recognized.

28. PRESIDENT:

29. All right, I understand the keys have been retrieved. Have
30. all voted who wish? Have all voted who wish? Take the record.
31. On that question, the Yeas are 53, the Nays are 2. None Voting
32. Present. Senate Bill 1137, having received the required three-
33. fifths vote is declared passed, the veto of the Governor to the

1. contrary, notwithstanding. All right we're...we're back
2. on the Calendar on the Order of Total Vetoes. Senate Bill
3. 1212, Senator Maragos. Senate Bill 1223, Senator D'Arco.
4. Senate Bill 1229, Senator Nimrod. Senate Bill 1328, Senator
5. Bruce. Any other member have a...that has a motion on the
6. Order of Total Vetoes that wishes it called? Senator D'Arco
7. for what purpose do you arise?
8. SENATOR D'ARCO:

9. Senate...I would like Senate Bill 5 called. I was off
10. the Floor.

11. PRESIDENT:

12. All right, with leave of the Body we'll go back to that
13. order. Leave is granted. On the Order of Total Vetoes page
14. 2 on the Calendar, with respect to Senate Bill 5. Mr. Secretary,
15. read the motion.

16. SECRETARY:

17. I move that Senate Bill 5 Do Pass, the veto of the Governor
18. of the contrary notwithstanding. Signed, Senator D'Arco.

19. PRESIDENT:

20. Senator D'Arco.

21. SENATOR D'ARCO:

22. Thank you, Mr. President. When this bill left this Chamber
23. it had a vote of 55 votes, and everyone agreed that its concept
24. was more than legitimate and needed for people in the State of
25. Illinois. What it is, it's to form a hospice unit at private
26. and public hospitals to treat terminally ill people in a manner
27. that is due them considering the physical condition that they
28. find themselves. It's a new concept in medicine, it is being
29. implemented in England and it is also being implemented at St.
30. John's Hospital right here in Springfield, and it provides a home
31. atmosphere, excuse me. It provides a home atmosphere for people
32. who have a terminal illness, so that they can die with dignity
33. in the manner that is...is due them in our society. I believe the
only reason the Governor vetoed it, is because of a lack of

1. understanding of the need for such a commission to investigate
2. the feasibility of government funding on Local, State, and Federal
3. levels, to implement this type of program. I know Senator
4. Grotberg has been working on this issue for three to four
5. to five years prior, and he is vitally interested in it, and I
6. would give my time remaining to him.

7. PRESIDENT:

8. Any further discussion? Senator Grotberg.

9. SENATOR GROTBORG:

10. Well, thank you, Mr. President, and thank you Senator
11. D'Arco. I rise in support of the override and I've so informed
12. the Governor. I don't think there's a whole lot of opposition
13. to the formation of a committee, a commission to get involved
14. in the serious side of the hospice movement in the State of
15. Illinois. I just returned from New Haven, Connecticut for the
16. National Symposium on Hospices, they are headed our way. It
17. is our intent through this commission to keep the rip off artists
18. out of this very serious business of allowing people to be
19. cared for in their homes with an occasional trip to either a
20. hospital or an onside hospice for the medication they may
21. need. Senator D'Arco is right, I'm deeply involved in the
22. movement, and have State-wide interest in this matter as well
23. as selfish interest. I would just plead with each and everyone
24. of you, let's just put 55 more votes on it, and get it over to
25. the House.

26. PRESIDENT:

27. Further discussion? Senator Mitchler.

28. SENATOR MITCHLER:

29. Just briefly, Mr. President, and members of the Senate.
30. I rise in support of Senator D'Arco's motion. This is a new
31. concept that's come along and I think that this Body, along
32. with the House, should be responsive to these new concepts,
33. certainly we have other different commissions and groups that could

1. be phased-out as they expire in their need, but this is a very
2. needed new type of study and I think it behooves us to give
3. full support to this very small amount of money involved and
4. I ask for a favorable roll call on Senator D'Arco's motion.

5. PRESIDENT:

6. Further discussion? Senator Rhoads.

7. SENATOR RHOADS:

8. Thank you, Mr. President, and members of the Senate.
9. I rise in opposition of the motion, and believe that the
10. Governor's veto ought to be sustained in this matter. It's
11. not that I object to what Senator D'Arco and Grotberg are
12. trying to do. What they are trying to do is a very worthwhile
13. approach...what they are trying to do is worthwhile in studying
14. a new concept but the issue here is not the concept, the issue
15. is creating a new commission. I think that's the Governor's
16. principal objection to creating another commission when we
17. have so many that we don't need at the moment. So I plan to
18. vote No on the motion and hope that the Governor's veto would
19. be sustained.

20. PRESIDENT:

21. Further discussion? Senator Shapiro.

22. SENATOR SHAPIRO:

23. Well, Mr. President, and Ladies and Gentlemen of the
24. Senate. I want to echo Senator Rhoads' remarks. My opposition
25. of this has absolutely nothing to do with the concept, but
26. if we want to start making this General Assembly viable, we
27. ought to start making the standing committees do the work
28. instead of creating a commission every time some small problem
29. comes up. I was...I think I was a co-sponsor of a bill to
30. eliminate a lot of the commissions, and I think creating another
31. one just compounds the problem, and we ought to defeat this
32. motion to override and let a standing committee handle this problem.

33. PRESIDENT:

1. Is there any further discussion? Senator D'Arco
2. do you wish to close the debate? The question is, shall
3. Senate Bill 5 pass, the veto of the Governor to the contrary
4. notwithstanding. Those in favor will vote Aye. Those
5. opposed will vote Nay. The voting is open. Have all voted
6. who wish? Have all voted who wish? Have all voted who wish?
7. Take the record. On that question, the Ayes are 37, the Nays
8. are 13. None Voting Present. Senate Bill 5, having recieved
9. the required three-fifths vote is declared passed, the veto
10. of the Governor to the contrary is notwithstanding. Senator
11. Rhoads, for what purpose do you arise?

12. SENATOR RHOADS:

13. Mr. President, to request a verification of the affirmative
14. votes.

15. PRESIDENT:

16. All right, Senator Rhoads has requested a verification of
17. the affirmative vote. Will the members please be in their
18. seats. Will those not entitled to the Floor please vacate.
19. Will the members please be in their seats. Mr. Secretary, read
20. the affirmative votes.

21. SECRETARY:

22. The following voted in the affirmative: Berman, Bruce, Buzbee,
23. Carroll, Chew, Collins, D'Arco, Daley, De Angelis, Demuzio, Donnewald,
24. Egan, Geo-Karis, Grotberg, Hall, Johns, Jeremiah Joyce, Jerome
25. Joyce, Keats, no I'm sorry that's wrong, Knüppel, Lemke, McLendon,
26. Merlo, Mitchler, Moore, Nash, Nedza, Nega, Newhouse, Regner, Rupp,
27. Sangmeister, Savickas, Sommer, Vadalabene, Washington, Wooten,
28. Mr. President.

29. PRESIDENT:

30. Senator Rhoads.

31. SENATOR RHAODS:

32. Senator Daley.

33. PRESIDENT:

1. Senator Daley on the Floor? Senator Daley on the Floor?
2. Strike his name from the roll, Mr. Secretary.

3. SENATOR RHOADS:

4. Senator Lemke.

5. PRESIDENT:

6. Senator Lemke on the Floor? Senator Lemke on the Floor?
7. Strike his name from the roll, Mr. Secretary. The roll call
8. has been verified. The Ayes are 35, the Nays are 13. The
9. sponsor wishes that further consideration of that motion be
10. postponed. So ordered. On the Order of Total Vetoes, page
11. 2 on the Calendar, there's a motion with respect to Senate
12. Bill 111. Mr. Secretary read the motion.

13. SECRETARY:

14. I move that Senate Bill 111 Do Pass, the veto of the
15. Governor of the contrary notwithstanding. Signed, Senator
16. Chew.

17. PRESIDENT:

18. Senator Chew.

19. SENATOR CHEW:

20. Thank you Mr...thank you, Mr. President. I don't know
21. ...we had three meetings on this particular bill, the Department
22. of Transportation was totally in favor of it. The Illinois
23. Police Department was in favor of it. We did not have any
24. opposition whatsoever. What the bill does, it allows the
25. emergency vehicles that patrol the inter-State highways here
26. in Illinois, those are the trucks that come to move disabled
27. vehicles and to assist in first aid emergency treatment. Now,
28. we had testimony in the committee which indicated that all
29. of those employees that are using these State vehicles do, in fact,
30. have emergency training and they're equipped with emergency kits.
31. We had no opposition, the bill passed out of here 43 to 3, and
32. it does, in fact, lessen the traffic hazards on these expressways
33. especially in metropolitan areas. We had people from East St.
Louis to testify in favor of it, we did not get any opposition in

1. committee. I do not understand why the Governor vetoed the
2. bill, because certainly it will help to alleviate the kind
3. of congestions which we're having today. We put safeguards in
4. the bill, Mr. President in order to prohibit any other
5. vehicle other than the one that's used by the Department of
6. Transportation. The Department of Transportation is totally
7. in favor of the bill, and I'd ask for a favorable vote on
8. the override.

9. PRESIDENT:

10. Is there any discussion? Senator Vadalabene.

11. SENATOR VADALABENE:

12. Yes, as a joint sponsor of this legislation with Senator
13. Chew. Senator Chew is exactly right. We had no opposition
14. in the committee hearings, all the testimony was in favor
15. of these emergency patrol vehicles, particularly as Senator
16. Chew has stated in the East St. Louis, St. Clair, and Madison
17. County area, where the accidents across these bridges into the
18. State of Illinois are prevalent and I would also move to over-
19. ride the Governor's veto on Senate Bill 111.

20. PRESIDENT:

21. Any further discussion? Senator Chew, you wish to close?

22. SENATOR CHEW:

23. Thank you, Mr. President. We'd just like a favorable roll
24. call to put 55 votes on it. Thank you.

25. PRESIDENT:

26. The question is, shall Senate Bill 111 pass, the veto of
27. the Governor to the contrary notwithstanding. Those in favor
28. will vote Aye. Those opposed will vote Nay. The voting is open.
29. Have all voted who wish? Have all voted who wish? Take the
30. record. On that question, the Ayes are 36, the Nays are 14.
31. 1 Voting Present. Senate Bill 111 having received the required
32. three-fifths vote is declared passed, the veto of the Governor
33. to the contrary notwithstanding. Senator Walsh for what purpose
do you arise?

1. SENATOR WALSH:

2. Well, just to verify the roll, Mr. President.

3. PRESIDENT:

4. Senator Walsh has requested a verification of the roll call.

5. Yes, Senator Walsh.

6. SENATOR WALSH:

7. I withdraw the request, the gentleman I thought was not
8. here is here.

9. PRESIDENT:

10. The request has been withdrawn. Any other member have
11. a motion filed on the Order of Total Vetoes that he wish called
12. at this time? On page 3 on the Calendar, Senate Bill 409, on
13. the Order of Total Vetoes. The motion filed with respect to
14. Senate Bill 409, read the motion, Mr. Secretary.

15. SECRETARY:

16. I move that Senate Bill 409 Do Pass, the veto of the Governor
17. to the contrary notwithstanding. Signed, Senator Chew.

18. PRESIDENT:

19. Senator Chew.

20. SENATOR CHEW:

21. Mr. President, 409 authorizes the township boards to use
22. the present tax money in which they have, the present tax money
23. without any authorization to raise taxes forever, and ever never.
24. In other words, 409 is a bill that will give the...the township
25. boards the right to use the present tax money to establish regional
26. juvenile shelter care facilities. The safeguard in the bill, Mr.
27. President, is to not to authorize the townships to increase taxes
28. at all. The Governor's veto on 409, to everybody's suprise,
29. states that it deprives townships of authority to use property
30. tax revenue to establish shelter care facilities for juvenile.
31. It does not deprive, it authorizes. So, I don't know who's giving
32. the Governor this kind of information, but the bill itself gives
33. that authority, it does not deprive, it authorizes, and he said

1. further that his rationale that the bill could raise new taxes,
2. and could transfer the court related county functions to
3. township, nothing is further from the truth, because the built-
4. in gauge in the bill itself does not permit the townships to
5. raise taxes. The bill went out of here a phenomenal vote
6. and it went out of the House with a bigger vote, and I would
7. ask for a favorable override on this. It does, in fact, permit
8. townships to establish juvenile facilities within that town-
9. ship with the money that's already there. It does not mandate
10. that they do it, it gives them an option, if they so desire to
11. do it, and it does not deal with any kind of new revenue whatsoever,
12. it's just the revenue that's on hand, and I would ask for a
13. favorable roll call, and I'll answer any questions that you want.

14. PRESIDENT:

15. Is there any discussion? Senator Netsch.

16. SENATOR NETSCH:

17. I have a question of the sponsor.

18.
19.
20.
21.
22.
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.

(END OF REEL)

Reel #2

1. SENATOR NETSCH:

2. I have a question of the sponsor.

3. PRESIDENT:

4. Sponsor indicates he will yield. Senator Netsch.

5. SENATOR NETSCH:

6. Senator Chew, can you explain why it is that the townships
7. have so much money that they are looking for new ways to spend it?

8. PRESIDENT:

9. Senator Chew.

10. SENATOR CHEW:

11. Senator Netsch, it's not a question of looking for new ways
12. to spend it. This gives them an option in the event they want to
13. establish some facilities for juvenile offenders. Most treasurers
14. in townships do have surpluses and they did not have this authority.
15. We had the representative from the townships in the State of Illinois
16. to come down and testify for the bill. As of this point...this per-
17. iod they do not have the authority to set up these health care
18. facilities, but the bill gives them the right and they are the ones
19. that asked for it. Evanston and many other townships throughout the
20. State of Illinois have made the request and we...introduced the bill.

21. PRESIDENT:

22. Senator Netsch.

23. SENATOR NETSCH:

24. That was not really responsive to my question. I...the pur-
25. pose is perfectly fine by whomever it may be administered. They...
26. the problem that I have with this is that the townships, many of them,
27. are building up large sums of money, in part because, I think, of
28. Federal General Revenue Sharing to which they are parties, and they
29. are sort of desperately looking around for ways to spend it and I'm...
30. I'm not sure it is the most efficient way to determine what services
31. ought to be performed by whom. That is the fact that they are sit-
32. ting there with surpluses in their treasury, gives...says...and leads
33. them to say, "Well, here's a good purpose. We ought to go do it."

1. Well, the purpose, I agree, is a good one, but is it the most
2. efficient way for this purpose to be served, to continue to give
3. the townships additional authority to engage in activities. If
4. General Revenue Sharing, for example, should run out, then what
5. happens? The townships at that point, having started some of these
6. projects, may decide that they are then going to have to turn to
7. Property Tax increase or State General Revenue Sharing in order to
8. be able to continue funding them. That's the concern I have.

9. PRESIDENT:

10. Further discussion? Senator Savickas.

11. SENATOR SAVICKAS:

12. Yes, Mr. President, Senator Netsch touched on a point that I
13. was concerned about...that once these programs are started, the
14. funds run out in the township areas...where do we go from there?
15. Does the county raise the taxes...the Real Estate Taxes? Does the
16. State again supply the funds? I think this is a very pertinent
17. point and I think that we should take this into consideration and
18. not override the veto at this point.

19. PRESIDENT:

20. Further discussion? Senator Berning. Senator Chew, you will
21. have ample opportunity to answer all questions even if they are
22. rhetorical. Senator Berning.

23. SENATOR BERNING:

24. Question of the sponsor, please.

25. PRESIDENT:

26. Sponsor indicates he will yield to any and all questions.
27. Senator Chew.

28. SENATOR BERNING:

29. When, Mr. President?

30. PRESIDENT:

31. Well...it's not June. It's October. Senator Chew, a question
32. is about to be posed. Senator Berning.

33. SENATOR BERNING:

1. Thank you, Mr. President. My question simply is this. What
2. is the statutory limitation or provision now? Are townships not
3. able to do this now?

4. PRESIDENT:

5. Senator Chew.

6. SENATOR CHEW:

7. No, it has to be by State Statute, Sir. You see, this money
8. is a part of revenue sharing and, speaking of townships having a
9. lot of money and not knowing what to do with it is not the question.
10. The bill itself so indicates that there will be no increase in taxes
11. and if revenue sharing should happen to cease then the facilities
12. are no longer supported so it would not take any State money or
13. township monies other than revenue sharing so we are safeguarded
14. as far as the increase in Real Estate Taxes or increase in any other
15. kind of taxes. When that revenue sharing ceases to be there then
16. the program automatically destructs itself. So we're not in danger
17. of...of...

18. PRESIDENT:

19. Further discussion? Senator Berning.

20. SENATOR BERNING:

21. Thank you, Mr. President. Just to pursue the point just a step
22. further, it appears to me that the townships do have the authority
23. to enter into any kind of social activity within the availability
24. of their existing funds. What concerns me is that if we here, by
25. Statute, authorize the establishment or construction of a facility...
26. that's a building, then in the event that revenue sharing funds are
27. terminated, somebody is going to incur a tremendous cost to maintain
28. and operate that building or there's going to be a significant loss
29. in the abandonment of it. The objective here probably is defensible
30. The prerogative now already exists with the county as well as the
31. prerogative of the townships to engage in such activities, as I under-
32. stand the Statute now and I, therefore, believe that the Statute, as
33. presented, is not necessary.

1. PRESIDENT:

2. Further discussion? Senator Ozinga.

3. SENATOR OZINGA:

4. Mr. President, members of the Senate, Senator Chew especially.
5. I would love to go along with anything that would help to benefit
6. the townships as you all know. However, in this case, I'm afraid
7. that what we're doing is putting a foot in the door and creating
8. more government when we need less.

9. PRESIDENT:

10. Further discussion? Senator Moore.

11. SENATOR MOORE:

12. Thank you...thank you, Mr. President and members of the Senate.
13. I rise in support of Senator Chew's motion. I think that the one
14. thing that has not been mentioned is that this legislation comes
15. about principally because of our Townships Committee on Youth which
16. we established some sixteen years ago when I introduced the initial
17. bill and I think if we would check to see how much Federal revenue
18. sharing monies are being used in our...by our Township Committees on
19. Youth, we would be astonished to find out that it is an exceedingly
20. small amount. Off the top of my hat, maybe ten or fifteen percent,
21. twenty percent at most, of Federal revenue sharing monies are used
22. to support our Township Committees on Youth. Now I don't know if
23. you in the other counties outside of Cook have had the experience
24. of using the AudyHome when a kid gets in trouble. A lot of these
25. things could be resolved locally by our townships that have Township
26. Committees on Youth that are doing an excellent job. There is no
27. increase in the tax levy for this program and as I say, a very
28. small amount of the money spent to support the Township Committees on
29. Youth are Federal revenue sharing monies. They are General Tax
30. Revenues that are raised by taxation by the board of trustees in
31. our townships. I think this is an excellent bill. I think we can
32. handle our problems, particularly in Cook and in the larger counties
33. around the State, locally better than we can with a county facility

1. or at least alleviate some of the problems that we have at the
2. Audy Home and I'm sure that Senator Netsch and some of the others are
3. aware of the extremely crowded conditions we have down there and
4. a lot of those kids...they are all not from Chicago. A lot of them
5. are from the suburban area. I think this is a good motion and I
6. think we should support Senator Chew.

7. PRESIDENT:

8. Further discussion? Senator Grotberg.

9. SENATOR GROTBORG:

10. Thank you, Mr. President. I like the concept of juvenile
11. shelter care facilities in the neighborhood. Now, I am not that
12. concerned with the Audy Home and the tremendous problem down there,
13. but I'm here to tell you when the State Department of Children and
14. Family Services, when the State Department of Corrections or even
15. at the county board level in some of our bigger counties such as
16. Kane, want to serve youth in yours and my community and come in and
17. say there is going to be a shelter care facility here for children,
18. the hackles go up all over the neighborhood. Nobody is better
19. equipped to decide on these issues than township officials within
20. a six mile square area, right square in the middle of where they
21. have to live every day. I would think that anything that could be
22. done State-wide, on this bill for any township that can afford the
23. luxury of getting involved deeper in shelter care facilities...it
24. belongs in the smallest unit of government, not the biggest unit
25. of government just to make sure that the darn thing gets there
26. because the community wants it, because they need it and yes, if
27. the wheels fall off, they might even support it. I would ask you
28. to support this override.

29. PRESIDENT:

30. Any further discussion? Channel 20 has asked leave of the
31. Body to take some film. Is leave granted? Leave is granted.
32. Further discussion? If not, Senator Chew may close the debate.

33. SENATOR CHEW:

1. Thank you, Mr. President. To particularly answer Senator
2. Berning's question, the bill does not authorize or distinctly
3. indicate that they must construct. They say provide. Now, we
4. know townships have facilities that are already established and
5. certainly no one would believe that a township would, in fact,
6. construct a new facility when the bill...itself says temporary
7. facilities for juvenile offenders, not to construct, Senator. So
8. you didn't read the bill accurately. It does not give the authority
9. to construct. It's left to the townships. We happened to think
10. it was a good bill. Some of the people that have spoke in opposition
11. to it certainly had the same brain that they had at the time that
12. we passed it and they voted for it. I would hope that the opposi-
13. tion would cease because I believe all the questions have been
14. answered and certainly if they have not been answered, I would be
15. glad to answer them, but Mr. President, it does not give the town-
16. ships the authority to raise new taxes. There is no taxes involved
17. whatsoever. It is a self-destruction program when Federal revenue
18. sharing money no longer comes to these townships and I would ask for
19. a favorable roll call.

20. PRESIDENT:

21. The question is shall Senate Bill 409 pass, the veto of the
22. Governor to the contrary notwithstanding. Those in favor will vote
23. Aye. Those opposed will vote Nay. The voting is open. Have all
24. voted who wish? Have all voted who wish? Have all voted who wish?
25. Take the record. On that question the Ayes are 19. The Nays are
26. 27. None Voting Present. The motion fails. Are there any more motions?
27. on the Order of Total Vetoes? Senators Carroll and Regner? On the
28. Order of...just file...just file another motion...on the Order of
29. Total Vetoes, page five, in the middle of page five on the Calendar,
30. on the Order of Total Vetoes is Senate Bill 909. Mr. Secretary,
31. read the motion.

32. SECRETARY:

33. I move that Senate Bill 909 do pass, the veto of the Governor

1. to the contrary notwithstanding. Signed Senator Carroll.

2. PRESIDENT:

3. Senator Carroll.

4. SENATOR CARROLL:

5. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
6. We are back once again with the Federal Funds Appropriation Bill.
7. For the third time running the Governor has seen fit not to allow the
8. General Assembly to have oversight responsibility in those Federal
9. funds that he takes into his office. This bill in its prior form,
10. was vetoed a year ago because of some problems bond counsel raised
11. that some of the bonding might be in jeopardy. Senator Regner,
12. myself, staff and others sat with bond counsel and those interested in
13. that very small section of the bill, worked out those problems over
14. the past year and they are no longer even in the bill. He, of
15. course, doesn't mention that anymore. He has run out of reasons
16. for vetoing this legislation so he merely says it will work an undue
17. hardship on State agencies by denying them flexibility to acquire
18. Federal funds which are only temporarily available. In fact, he is
19. right. He is right in the sense that he is denying the General
20. Assembly the authority to appropriate public funds as our Constitution
21. mandates. I think this was, once again, an ill-conceived veto by
22. the Governor. I think we, of the General Assembly, have not only
23. the right, but the obligation to appropriate the funds that the
24. State is spending. That's what the taxpayers want and that's what
25. the Constitution calls for. All potential problems of the legislation
26. have already been cured. There are none and the Governor has, there-
27. fore, as I said, found no legitimate reason for the veto. I would
28. urge the members to do as they have done in the past and that is
29. support the override of the veto, the wishes of the Governor to the
30. contrary notwithstanding.

31. PRESIDENT:

32. Is there any discussion? Senator Buzbee.

33. SENATOR BUZBEE:

1. Thank you, Mr. President. I rise in support of this veto
2. override attempt. I would like to point out to some of my good
3. friends on the other side of the aisle that we passed this same
4. legislation a year ago and then when it came time to...to vote
5. for the override, some people had a bad case of cramps or something,
6. I think, and weren't able to press the Yes button, but I would like
7. to point out, this is an issue which we are mandated to do in our
8. State Constitution. It's an issue which the National Conference
9. of State...National Conference of State Legislators have been
10. looking at very closely. We're pressing for this in all states in
11. the Union, for the State Legislature to have the final say-so on
12. appropriations. It's time that the Legislature, regardless of
13. which party we may be, show the Chief Executive, regardless of
14. which party he may be, that we, in fact, are going to have the
15. final appropriation say and I would urge that you vote Aye on this
16. veto override.

17. PRESIDENT:

18. Further discussion? Senator Regner.

19. SENATOR REGNER:

20. Mr. President and members of the Senate, I, too, rise in
21. support of this bill. This bill was drafted this year very carefully
22. to eliminate the objections that were stated in the Veto Message
23. from the last Session. As Senators Carroll and Buzbee both stated,
24. it's the General Assembly's duties to appropriate monies as an
25. oversight agency and I think to complete that duty, our Constitutional
26. Oath of Office, that we do appropriate money and assure our spending
27. and to eliminate monies being spent that we specifically eliminated
28. in previous Sessions...a bill like this certainly should pass. It
29. would eliminate the possibility of having those monies available
30. and I would urge a Yes vote on this override motion.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, Senator Carroll may close
33. debate. Oh, Senator Philip.

1. SENATOR PHILIP:

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

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Indicates he will.

6. SENATOR PHILIP:

7. My synopsis indicates that you've exempted colleges and univer-
8. sities and I'd just like to know what the rationale for that is.
9. If it's good for government, why isn't it...and probably the
10. universities get more Federal funds than any single State agency
11. I would just guess.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Carroll...Senator Carroll.

14. SENATOR CARROLL:

15. Because, Senator Philip, they had not been declared in this
16. sense, to be public funds as are the funds that flow to State
17. government. I would hope we could do it for universities in the
18. future, but that was one of the arguments in the bill last time in
19. the Governor's Veto Message and we agreed to go along with them,
20. that it would not be appropriate in this legislation to confuse the
21. issue. We think it more important that we start with the money
22. that flows into the Executive Branch of government into the State
23. and have the control to appropriate the funds that come into the
24. State and not let any Executive spend without regard to the wishes
25. of the General Assembly or the people.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? Senator Donnewald.

28. SENATOR DONNEWALD:

29. Not on this, but, Mr. President, I would request leave for the
30. Second Channel of West Germany to take television pictures of the
31. proceedings.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. You've heard the motion. Is leave granted? Leave is granted.
Senator Carroll may close the debate.

1. SENATOR CARROLL:

2. The only reason I would speak again is because of Senator
3. Donnewald's comments. I would just ask that the...they're not on
4. yet? Should I keep speaking...that the General Assembly again exercise
5. its wisdom and constitutional duty, the veto of the Governor to the
6. contrary notwithstanding.

7. PRESIDENT:

8. All right. The question is shall Senate Bill 909 pass, the
9. veto of...of the Governor to the contrary notwithstanding. Those
10. in favor will vote Aye. Those opposed will vote Nay. The voting
11. is open. Have all voted who wish? Have all voted who wish? Take
12. the record. On that question the Ayes are 51. The Nays are none.
13. None Voting Present. Senate Bill 909, having received the required
14. three-fifths vote is declared passed, the veto of the Governor to the
15. contrary notwithstanding. On the Order of Total Vetoes, page five
16. of the Calendar, is a motion filed with respect to Senate Bill 910.
17. Read the motion, Mr. Secretary.

18. SECRETARY:

19. I move that Senate Bill 910 Do Pass, the veto of the Governor
20. to the contrary notwithstanding. Signed Senator Regner.

21. PRESIDENT:

22. Senator Regner.

23. SENATOR REGNER:

24. Yes, Mr. President, members of the Senate. Senate Bill 910 does
25. the same thing for the Office of Education that Senate Bill 9 did
26. for the various Executive Branch agencies. The Veto Message of the
27. Governor read virtually the same way. The real irony in it is that
28. the Office of Education people, Dr. Cronin, Nelson Ashline, assisted
29. me in drafting this particular piece of legislation. It was stated
30. that they are entirely in favor of it and then the Governor vetoed
31. it and it has no effect over his agencies in any way, shape or form.
32. The arguments that were given on 909 certainly apply to 910 for the
33. Office of Education and the appropriation by the General Assembly of

1. all funds affecting that particular agency and I'd ask for a
2. favorable roll call.

3. PRESIDENT:

4. Further discussion? Senator Carroll.

5. SENATOR CARROLL:

6. Now that we have overridden 909, Mr. President and Ladies
7. and Gentlemen of the Senate, this one's different. Not really.
8. This is the same thing as Senator Regner said. I would urge all
9. those who supported 909 to continue that course of conduct to give
10. us responsibility and to override the veto of the Governor of Senate
11. Bill 910.

12. PRESIDENT:

13. Further discussion? Senator Geo-Karis.

14. SENATOR GEO-KARIS:

15. Mr. President and Ladies and Gentlemen of the Senate. I concur
16. with the sponsor of the bill and the prior speaker because after
17. all, we're...if the Legislature is going to be blamed for it, then
18. let us take the full responsibility and I support the override.

19. PRESIDENT:

20. The question is shall Senate Bill 910 pass, the veto of the
21. Governor notwithstanding. Those in favor will vote Aye. Those
22. opposed will vote Nay. The voting is open. Have all voted who wish?
23. Have all voted who wish? Take the record. On that question the
24. Ayes are 53. The Nays are none. None Voting Present. Senate Bill
25. 910, having received the required three-fifths vote is declared
26. passed, the veto of the Governor to the contrary notwithstanding.
27. Any other member have a motion filed with respect to the order of
28. business under Total Vetoes? All right. We'll move to the order
29. on page six, Item Vetoes. The motion filed with respect to Senate
30. Bill 157, Senator Chew. Do you wish to call that motion, Senator Chew?

31. SENATOR CHEW:

32. Yes, Mr. President. I do.

33. PRESIDENT:

1. All right. On page six on the Calendar under the Order of
2. Item Vetoes, Senate Bill 157. Read the motion, Mr. Secretary.

3. SECRETARY:

4. I move that the item on page five, lines six through fourteen,
5. of Senate Bill 157 Do Pass, the Item Veto of the Governor to the
6. contrary notwithstanding. Signed Senator Chew.

7. PRESIDENT:

8. Senator Chew.

9. SENATOR CHEW:

10. Yeah, Mr. President. I believe this deals with...our book is
11. incomplete here, but it deals with the Governor vetoing the approp-
12. riation for recycling of automobiles...vehicle recycling. He signed
13. the bill, Mr. President. Inadvertently, he vetoed the appropriation
14. so consequently, the bill can't go anyplace until the appropriation
15. is restored and every member of the Motor Vehicle Laws Commission
16. would be aware of this. I believe the Governor did talk to the
17. Executive Director on the...the veto and I believe, according to
18. the Executive Director, that the Governor is in favor of this
19. override in order to get the Vehicle Recycling Board on its way.
20. I know, but I filed it on it because the Motor Vehicle Law...Senator
21. Carroll will be familiar with this. That's that Vehicle Recycling
22. Board's appropriation. Governor vetoed it and you would be familiar
23. with this so...I would expect you to...speak on it. Carroll.

24. PRESIDENT:

25. Wait a minute. You are out of order, Senator Chew. Senator
26. Chew, can we withdraw that motion? I don't think it's in proper
27. form.

28. SENATOR CHEW:

29. If that's the wishes of the President.

30. PRESIDENT:

31. Yes.

32. SENATOR CHEW:

33. We'll work with the President and get it in proper form.

1. PRESIDENT:

2. All right. That motion has been withdrawn. Senate Bill 356,
3. Senator Berning. Senate Bill 581, Senator Moore. Senator Berning.

4. SENATOR BERNING:

5. 356?

6. PRESIDENT:

7. 356. There has been a motion filed by Senator Berning with
8. respect to Senate Bill 356. Read the motion, Mr. Secretary.

9. SECRETARY:

10. I move that the items on page one, lines fourteen, eighteen...
11. fourteen through eighteen, nineteen through twenty-three, twenty-
12. four through thirty and the item on page one, lines thirty-one
13. through thirty-three and on page two, line one of Senate Bill 356,
14. Do Pass, the Item Vetoes of the Governor to the contrary notwithstand-
15. ing.

16. PRESIDENT:

17. Yes, Senator Rhoads, for what purpose do you arise?

18. SENATOR RHOADS:

19. Mr. President, I'm the sponsor of the bill and I wonder if I
20. could request of Senator Berning to defer this. Senator, I haven't
21. had a chance to discuss it with you. I don't know whether I'm with
22. you or against you so could we discuss it first?

23. PRESIDENT:

24. Senator indicates he will defer it. 581, Senator Moore.
25. All right. We'll move now to page 7, on the Order of Item Reductions,
26. middle of page 7, Item Reductions. Senate Bill 157, Senator
27. D'Arco. Senate Bill 318, Senator Berning. All right. The bottom
28. of page 7. On the Order of Specific Recommendations for Change.
29. Senate Bill 32, Senator Keats. The motion filed with respect to
30. Senate Bill 32, on the Order of Specific Recommendations for Change.
31. Read the motion, Mr. Secretary.

32. SECRETARY:

33. I move to accept the specific recommendations of the Governor

SB 58
Spec. Rec.

1. as to Senate Bill 32 in the manner and form as follows. Signed,
2. Senator Keats.

3. PRESIDENT:

4. Senator Keats.

5. SENATOR KEATS:

6. Thank you, Mr. President. Senate Bill 32, which passed both
7. the Senate and House overwhelmingly, originally set up the crime of
8. mass murder, multiple murder or second murder...if you are convicted
9. of those, minimum sentence was life imprisonment. Now, you could
10. not receive a sentence of less than that. The Governor has vetoed
11. it. There's a lot of legal mumbo jumbo. I think it's still okay
12. and I would ask you to accept the veto.

13. PRESIDENT:

14. Is there any discussion? If not, the question is shall the
15. Senate accept the Specific Recommendations of the Governor as to
16. Senate Bill 32 in the manner and form just stated by Senator Keats.
17. Those in favor will vote Aye. Those opposed will vote Nay. The
18. voting is open. Have all voted who wish? Have all voted who wish?
19. Take the record. On that question the Ayes are 49. The Nays are 2.
20. 1 Voting Present. The Specific Recommendations of the Governor as
21. to Senate Bill 32, having received the required constitutional major-
22. ity vote of Senators elected are declared accepted. Senate Bill 58,
23. Senator Grotberg. Top of page 8 on the Calendar on the Order of
24. Specific Recommendations for Change. There's been a motion filed
25. with respect to Senate Bill 58. Read the motion, Mr. Secretary.

26. SECRETARY:

27. I move to accept the Specific Recommendations of the Governor
28. as to Senate Bill 58 in the manner and form as follows. Signed,
29. Senator Grotberg.

30. PRESIDENT:

31. Senator Grotberg.

32. SENATOR GROTBORG:

33. Yes, Mr. President, thank you. Members of the Senate, this is

1. a simple clarifying amendment to the Intergovernmental Cooperation
2. Act and the Governor's language actually improves it by striking a
3. word...one word. The word is "this"...so that will not be restricted
4. necessarily to the Intergovernmental Cooperation Act, but all coopera-
5. tive agreements between local units of government. I move that we
6. adopt the Governor's amendatory language.

7. PRESIDENT:

8. Is there any discussion? Senator McLendon, your button is on. All
9. right. Is there any discussion? If not, the question is shall
10. the Senate accept the Specific Recommendations of the Governor as
11. to Senate Bill 58 in the manner and form just stated by Senator
12. Grotberg. Those in favor will vote Aye. Those opposed will vote
13. Nay. The voting is open. Have all voted who wish? Have all voted
14. who wish? Take the record. On that question the Ayes are 55. The
15. Nays are none. None Voting Present. The Specific Recommendations
16. of the Governor as to Senate Bill 58, having received the required
17. constitutional majority vote of Senators elected are declared
18. accepted. 90...Senate Bill 93, Senator Hall. On the Order of
19. Specific Recommendations for Change, page 8 on the Calendar, there's
20. a motion filed with respect to Senate Bill 93. Read the motion,
21. Mr. Secretary.

22. SECRETARY:

23. I move to accept the Specific Recommendations of the Governor
24. as to Senate Bill 93 in the manner and form as follows. Signed
25. Senator Hall.

26. PRESIDENT:

27. Senator Hall.

28. SENATOR HALL:

29. Thank you, Mr. President and members of the Senate. Senate
30. Bill 93 deals with three matters relating to counties. The first
31. provision grants county boards the right to provide for weed cutting
32. at the owner's expense. Another provision allows counties under
33. four hundred and fifty thousand population to elect a chairman at

1. large and the Governor agrees with this...two changes in the present
2. law. The remaining provision grants county chairmen, if elected
3. at large, the power of the veto and he says that he did not believe
4. that the decision should be made at the State level, but rather
5. it should be a permissive grant of power to county boards and so
6. he specifically recommended that a county board in counties where
7. the chairman is elected at large may upon passage, adoption or
8. enactment of a specific ordinance apply the following provisions.
9. With this specific change that he gave 93 his approval so that at
10. this time that I accept the Specific Recommendation of the Governor
11. as to Senate Bill 93 in the manner and form.

12. PRESIDENT:

13. Is there any discussion? Senator Rhoads.

14. SENATOR RHOADS:

15. Question of the sponsor.

16. PRESIDENT:

17. Indicates he will yield. Senator Rhoads.

18. SENATOR RHOADS:

19. Senator Hall, just so we're clear on the applicability is this
20. apply only to the County of Cook?

21. PRESIDENT:

22. Senator Hall.

23. SENATOR HALL:

24. ...It's counties under four hundred and fifty thousand population.

25. PRESIDENT:

26. Further discussion? The question is shall the Senate accept
27. the Specific Recommendations of the Governor as to Senate Bill 93 in
28. the manner and form just stated by Senator Hall. Those in favor will
29. vote Aye. Those opposed will vote Nay. The voting is open. Have
30. all voted who wish? Have all voted who wish? Take the record. On
31. that question the Ayes are 53. The Nays are none. None Voting
32. Present. The Specific Recommendations of the Governor as to Senate
33. Bill 93, having received the required constitutional majority vote of

1. Senators selected are declared accepted. Senator Donnewald, for
2. what purpose do you rise?

3. SENATOR DONNEWALD:

4. Question of the Chair. Are we observing the sixty-eight
5. degree rule?

6. PRESIDENT:

7. No question about it. It's got to be at least a hundred in
8. here.

9. SENATOR DONNEWALD:

10. Let's...let's have the Sergeant-at-Arms cut down the temperature
11. a bit.

12. PRESIDENT:

13. Mr. Sergeant-at-Arms, will you notify the custodian, please?
14. Thank you. On the Order of Specific Recommendations for Change,
15. page 8 on the Calendar, Senate Bill 228, Senator Rhoads. Senate
16. Bill 293, Senator McLendon. Senate Bill 244, Senator Joyce. On the
17. Order of Specific Recommendations for Change, the middle of page 8,
18. there's a motion filed with respect to Senate Bill 244. Read the
19. motion, Mr. Secretary.

20. SECRETARY:

21. I move to accept the Specific Recommendations of the Governor
22. as to Senate Bill 244 in the manner and form as follows. Signed
23. Senator Jeremiah Joyce.

24. PRESIDENT:

25. Senator Joyce.

26. SENATOR JEREMIAH JOYCE:

27. Thank you, Mr. President and members of the Senate. The
28. Specific Recommendation for Change from the Governor delays the
29. effective date by one year...delays the effective date of Senate
30. Bill 244 by one year. That is the freeze will not go into effect
31. until 1981. I would move its adoption.

32. PRESIDENT:

33. Any discussion? Senator Buzbee.

1. SENATOR BUZBEE:

2. Thank you, Mr. President. Question of the sponsor...

3. PRESIDENT:

4. Indicates he will yield. Senator Buzbee.

5. SENATOR BUZBEE:

6. Senator...Senator Joyce, in the conversation I had with you
7. just a few minutes ago, I indicated that I had a mayor of a small
8. community in my district who is fearful of this particular...afraid
9. of losing his tax base since there are so many historical homes in
10. his little town and you indicated to me at that time that the county...
11. or rather the city council may opt out if that is...is that, in
12. fact, so?

13. PRESIDENT:

14. Senator Joyce.

15. SENATOR JEREMIAH JOYCE:

16. That is correct, Senator.

17. PRESIDENT:

18. Any further discussion? If not, the question is shall the
19. Senate accept the Specific Recommendations of the Governor as to
20. Senate Bill 244 in the manner and form just stated by Senator Joyce.
21. Those in favor will vote Aye. Those opposed will vote Nay. The
22. voting is open. Have all voted who wish? Have all voted who wish?
23. Take the record. On that question the Ayes are 51. The Nays are
24. 3. None Voting Present. The Specific Recommendations of the
25. Governor as to Senate Bill 244, having received the required
26. constitutional majority vote of Senators elected are declared
27. accepted. 294, Senator McLendon. 362, Senator Davidson. 483,
28. Senator Lemke. 483...oh, 438, I beg your pardon. Some...on the
29. Order of Specific Recommendations for Change, top of page 9 on the
30. Calendar, there's a motion filed with respect to Senate Bill 438.
31. Read the motion, Mr. Secretary.

32. SECRETARY:

33. I move to accept the Specific Recommendations of the Governor

1. as to Senate Bill 438 in the manner and form as follows. Signed,
2. Senator Lemke.

3. PRESIDENT:

4. Senator Lemke.

5. SENATOR LEMKE:

6. I move to...to go along with the Governor. Since the bill
7. does not provide an effective date, his...his Amendatory Veto takes
8. care of that provision so I ask for a favorable roll call.

9. PRESIDENT:

10. Is there any discussion? If not, the question is shall the
11. Senate accept the Specific...Specific Recommendations of the Governor
12. as to Senate Bill 438 in the manner and form just stated by
13. Senator Lemke. Those in favor will vote Aye. Those opposed will
14. vote Nay. The voting is open. Have all voted who wish? Have all
15. voted who wish? Take the record. On that question the Ayes are
16. 56. The Nays are none. None Voting Present. The Specific
17. Recommendations of the Governor as to Senate Bill 438, having re-
18. ceived the required constitutional majority vote of Senators elected
19. are declared accepted. 495, Senator Bloom. On the Order of
20. Specific Recommendations for Change, top of page 9, there's a motion
21. filed with respect to Senate Bill 495. Read the motion, Mr.
22. Secretary.

23. SECRETARY:

24. I move to accept the Specific Recommendations of the Governor
25. as to Senate Bill 495 in the manner and form as follows. Signed,
26. Senator Bloom.

27. PRESIDENT:

28. Senator Bloom.

29. SENATOR BLOOM:

30. Thank you, Mr. President and fellow Senators. We passed two
31. Sunset Bills this Spring and 495 merely had the concept of review.
32. 1944 had a repealer. What the Governor did is he accepted 1944 and
33. amendatorily vetoed 495, but accepted the concept in 495 which was

1. not in 1944 of front end review. I would answer any questions
2. and urge a favorable roll call.

3. PRESIDENT:

4. Is there any discussion? If not, the question is shall the
5. Senate accept the Specific Recommendations of the Governor as to
6. Senate Bill 495 in the manner and form just stated by Senator Bloom.
7. Those in favor will vote Aye. Those opposed will vote Nay. The
8. voting is open. Have all voted who wish? Have all voted who wish?
9. Take the record. On that question the Ayes are 53. The Nays are
10. none. None Voting Present. The Specific Recommendations of the
11. Governor as to Senate Bill 495, having received the required
12. constitutional majority vote of Senators elected are declared accepted.
13. 511, Senator Weaver. On the Order of Specific Recommendations for
14. Change, Senate Bill 511, middle of page 9, there's been a motion
15. filed. Read the motion, Mr. Secretary.

16. SECRETARY:

17. I move to accept the Special Recommendations of the Governor
18. as to Senate Bill 511 in the manner and form as follows. Signed,
19. Senator Weaver.

20. PRESIDENT:

21. Senator Weaver.

22. SENATOR WEAVER:

23. Thank you, Mr. President. This language tightens it up just a
24. little bit. I see no real need for it, but if it makes the Governor
25. happy, I'm tickled to death and so I would move to accept the
26. Specific Recommendations.

27. PRESIDENT:

28. Is there any discussion? If not, the question is shall the
29. Senate accept the Specific Recommendations of the Governor as to
30. Senate Bill 511 in the manner and form just stated by Senator Weaver.
31. Those in favor will vote Aye. Those opposed will vote Nay. The
32. voting is open. Have all voted who wish? Have all voted who wish?
33. Take the record. On that question the Ayes are 54. The Nays are

1. 1. None Voting Present. The Specific Recommendations of the
2. Governor as to Senate Bill 511, having received the required
3. constitutional majority vote of Senators elected are declared accepted.
4. 514, Senator Mitchler. On the Order of Specific Recommendations
5. for Change, in the middle of page 9, is Senate Bill 514. A motion
6. has been filed. Read the motion, Mr. Secretary.

7. SECRETARY:

8. I move to accept the Specific Recommendations of the Governor
9. as to Senate Bill 514 in the manner and form as follows. Signed
10. Senator Mitchler.

11. PRESIDENT:

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. Mr. President and members of the Senate, I move to accept the
15. Specific Recommendations of the Governor as to Senate Bill 514 in
16. manner and in form as he prescribed. I discussed this with Joanne
17. Mitchell who is the Director of the Illinois Commission on
18. Delinquency Prevention and she has no objections to that in the
19. operation of the Commission...which Senator D'Arco and I both
20. serve, representing the Senate, so I would move to accept the
21. Specific Recommendations of the Governor.

22. PRESIDENT:

23. Is there any discussion? If not, the question is shall the
24. Senate accept the Specific Recommendations of the Governor as to
25. Senate Bill 514 in the manner and form just stated by Senator
26. Mitchler. Those in favor will vote Aye. Those opposed will vote
27. Nay. The voting is open. Have all voted who wish? Have all voted
28. who wish? Take the record. On that question the Ayes are 50. The
29. Nays are none. None Voting Present. The Specific Recommendations
30. of the Governor as to Senate Bill 514, having received the required
31. constitutional majority vote of Senators elected are declared accepted.
32. 642, Senator Regner. Middle of page 9, on the Order of Specific
33. Recommendations for Change. There's been a motion filed with respect

1. to Senate Bill 642. Read the motion, Mr. Secretary.

2. SECRETARY:

3. I move to accept the Specific Recommendations of the Governor
4. as to Senate Bill 642 in the manner and form as follows. Signed,
5. Senator Regner.

6. PRESIDENT:

7. Senator Regner.

8. SENATOR REGNER:

9. Yes, Mr. President and members of the Senate. I'm going to
10. move to concur in the Governor's Amendatory Veto. This is a bill
11. regarding multi-year contracts for data processing equipment, that
12. they should be subject to appropriations of the General Assembly.
13. In one section of the bill, it would have caused some problems on
14. those items that have a term longer than the term of the appropriation
15. from which it is to be paid. I was involved in several meetings along
16. with representatives of the Department of Administrative Services
17. and the Comptroller's Office and we couldn't agree on specific
18. language in this particular paragraph and we made the suggestion
19. that it just be eliminated at this time and work continue on it.
20. The second change makes a technical correction in the language of
21. Section IV so that it conforms to the bill's overall language with
22. reference to multi-year leases, lease purchases or installment
23. purchase contracts and I would, therefore, move that we do concur
24. with the Governor's Amendatory Veto on Senate Bill 642.

25. PRESIDENT:

26. Is there any discussion? If not, the question is shall the
27. Senate accept the Specific Recommendations of the Governor to Senate
28. Bill 642 in the manner and form just stated by Senator Regner.
29. Those in favor will vote Aye. Those opposed will vote Nay. The
30. voting is open. Have all voted who wish? Have all voted who wish?
31. Take the record. On that question the Ayes are 54. The Nays are
32. none. None Voting Present. The Specific Recommendations of the
33. Governor as to Senate Bill 642, having received the required consti-

1. tutional majority vote of Senators elected are declared accepted.
2. 666, Senator Davidson. 674, Senator Berman. On the Order
3. of Specific Recommendations for Change, the bottom of page 9,
4. there's a motion filed with respect to Senate Bill 674. Read the
5. motion, Mr. Secretary.

6. SECRETARY:

7. I move to accept the Specific Recommendations of the Governor
8. as to Senate Bill 674 in the manner and form as follows. Signed,
9. Senator Berman.

10. PRESIDENT:

11. Senator Berman.

12. SENATOR BERMAN:

13. Thank you, Mr. President. Senate Bill 674 is here before us
14. today because of a...an error in the amendment procedure. If you
15. recall, this bill originally provided for allowing doctors to
16. voluntarily surrender their license. As the bill moved along through
17. the procedure, the Illinois State Medical Society and the Department
18. of Registration agreed that this would be addressed through
19. regulations of the Department rather than through...Statute. Another
20. part was amended into it that set forth guidelines for doctors'
21. advertising. We thought that we took out the provisions in the
22. bill originally that dealt with the voluntary surrender so that
23. that could be done by regulation...after the bill was enrolled
24. and engrossed it was found that it, in fact, did not take out those
25. provisions. The Amendatory Veto does take out the provisions. I
26. would move that we accept the Amendatory Veto language.

27. PRESIDENT:

28. Any discussion? If not, the question is shall the Senate
29. accept the Specific Recommendations of the Governor as to Senate
30. Bill 674 in the manner and form as just stated by Senator Berman.
31. Those in favor will vote Aye. Those opposed will vote Nay. The
32. voting is open. Have all voted who wish? Have all voted who wish?
33. Take the record. On that question the Ayes are 54. The Nays are

DB 696
10-10-79
Specific Recommendations

1. none. None Voting Present. The Specific Recommendations of the
2. Governor as to Senate Bill 674, having received the required
3. constitutional majority vote of Senators elected are declared
4. accepted. 696, Senator Knuppel. On the Order of Specific Recom-
5. mendations for Change, bottom of page 9, there's a motion filed
6. with respect to Senate Bill 696. Read the motion, Mr. Secretary.
7. SECRETARY:

8. I move to accept the Specific Recommendations of the Governor
9. as to Senate Bill 696 in the manner and form as follows. Signed,
10. Senator Knuppel.

11. PRESIDENT:

12. Senator Knuppel.

13. SENATOR KNUPPEL:

14. Members of the Body, 696 is the Mandated Programs Bill. It
15. provided for a five member board to handle appeals and the board
16. was to be composed of one member appointed by the President of the
17. Senate and one to be appointed by the Speaker of the House and
18. three by the Governor. The amendatory language makes all members
19. appointed by the Governor with no more than three to be from any
20. political party subject to confirmation by this Senate and with
21. at least two local officials on the board. I move the acceptance
22. of this changed language.

23. PRESIDENT:

24. Is there any discussion? If not, the question is shall the
25. Senate accept the Specific Recommendations of the Governor as to
26. Senate Bill 696 in the manner and form just stated by Senator
27. Knuppel. Those in favor will vote Aye. Those opposed will vote
28. Nay. The voting is open. Have all voted who wish? Have all voted
29. who wish? Take the record. On that question the Ayes are 52.
30. The Nays are none. 1 Voting Present. The Specific Recommendations
31. of the Governor as to Senate Bill 696, having received the required
32. constitutional majority vote of Senators elected are declared
33. accepted. 732, Senator Berning. On the Order of Specific Recom-

1. mendations for Change at the bottom of page 9 is Senate Bill
2. 732. Senator Savickas, for what purpose do you arise?

3. SENATOR SAVICKAS:

4. Would Senator Berning please hold that motion for a minute?
5. I'd like to talk to him about it.

6. PRESIDENT:

7. Indicates he will hold it. Senate Bill 800, Senator Rhoads.
8. Senate Bill 801, Senator Merlo. Top of page 10, on the Order of
9. Specific Recommendations for Change, there's been a motion filed
10. with respect to Senate Bill 801. Read the motion, Mr. Secretary.

11. SECRETARY:

12. I move to accept the Specific Recommendations of the Governor
13. as to Senate Bill 801 in the manner and form as follows. Signed,
14. Senator Merlo.

15. PRESIDENT:

16. Senator Merlo.

17. SENATOR MERLO:

18. Thank you, Mr. President. Intended...however, inadvertently
19. omitted was the establishment of a salary in Senate Bill 801 for
20. the Director of Personnel and at the recommendation of the Comptroller
21. the salary of thirty-five thousand dollars was suggested. The
22. Governor felt that this was reasonable and so recommends in his
23. change. I move to accept the Specific Recommendations of the
24. Governor to Senate Bill 801.

25. PRESIDENT:

26. Is there any discussion? If not, the question is shall the
27. Senate accept the Specific Recommendations of the Governor as to
28. Senate Bill 801 in the manner and form just stated by Senator
29. Merlo. Those in favor will vote Aye. Those opposed will vote Nay.
30. The voting is open. Have all voted who wish? Have all voted who
31. wish? Take the record. On that question the Ayes are 51. The
32. Nays are none. None Voting Present. The Specific Recommendations
33. of the Governor as to Senate Bill 801, having received the required

1. constitutional majority vote of Senators elected are declared
2. accepted. 802, Senator Merlo. On the Order of Specific Recom-
3. mendations for Change, top of page 10 on the Calendar, there's a
4. motion filed with respect to Senate Bill 802. Read the motion,
5. Mr. Secretary.

6. SECRETARY:

7. I move to accept the Specific Recommendations of the Governor
8. as to Senate Bill 802 in the manner and form as follows. Signed,
9. Senator Merlo.

10. PRESIDENT:

11. ...Senator Merlo.

12. SENATOR MERLO:

13. Thank you, Mr. President. Whenever an appeal by a Public Aid
14. recipient to a Public Aid committee involves the township of a
15. supervisor serving on that committee, it would prohibit the super-
16. visor from acting as a member in making a decision for the purposes
17. of a hearing and the Governor based, of course,
18. his sentiments by...on the findings of the United States District
19. Court for the Northern District of Illinois. I think that it's a
20. sound change and I move for the acceptance of the recommendations
21. made by the Governor.

22. PRESIDENT:

23. Is there any discussion? If not, the question is shall the
24. Senate accept the Specific Recommendations of the Governor as to
25. Senate Bill 802 in the manner and form just stated by Senator Merlo.
26. Those in favor will vote Aye. Those opposed will vote Nay. The
27. voting is open. Have all voted who wish? Have all voted who wish?
28. Take the record. On that question the Ayes are 53. The Nays are 1.
29. None Voting Present. The Specific Recommendations of the Governor
30. as to Senate Bill 802, having received the required constitutional
31. majority vote of Senators elected are declared accepted. 828, Senator
32. Bruce. On the Order of Specific Recommendations for Change, top of
33. page 10, there's a motion filed with respect to Senate Bill 828. Read
the motion, Mr. Secretary.

1. SECRETARY:

2. I move to accept the Specific Recommendations of the Governor
3. as to Senate Bill 828 in the manner and form as follows. Signed,
4. Senator Bruce.

5. PRESIDENT:

6. Senator Bruce.

7. SENATOR BRUCE:

8. Thank you, Mr. President and members of the Senate. This bill,
9. as changed by the Governor, correctly describes the land over
10. which the...the State of Illinois is conveying back an easement.
11. There was an error in the original description. It makes no
12. substantive change, however, it does make the description correct
13. and I would now move that we do, in fact, accept the Specific
14. Recommendations of the Governor as to Senate Bill 828.

15. PRESIDENT:

16. Any discussion? If not, the question is shall the Senate
17. accept the Specific Recommendations of the...of the Governor as
18. to Senate Bill 828 in the manner and form just stated by Senator
19. Bruce. Those in favor will vote Aye. Those opposed will vote Nay.
20. The voting is open. Have all voted who wish? Have all voted who
21. wish? Take the record. On that question the Ayes are 53. The
22. Nays are none. None Voting Present. The Specific Recommendations
23. of the Governor as to Senate Bill 828, having received the required
24. constitutional majority vote of Senators elected are declared accepted.
25. 950, Senator D'Arco. On the Order of Specific Recommendations for
26. Change, the middle of page 10, there's a motion filed with respect
27. to Senate Bill 950. Read the motion, Mr. Secretary.

28. SECRETARY:

29. I move to accept the Specific Recommendations of the Governor
30. as to Senate Bill 950 in the manner and form as follows. Signed,
31. Senator D'Arco.

32. PRESIDENT:

33. Senator D'Arco.

1. SENATOR D'ARCO:

2. Thank you, Mr. President. This simply provides that people
3. who are detained in jail would have their medical costs paid for
4. by the Department of Public Aid if, in fact, they have a certified
5. green card whether or not they were detained in jail under a com-
6. mitment from the Department or not and I would move to accept the
7. Governor's Specific Recommendations for Change and I have no idea
8. what it does, but...

9. PRESIDENT:

10. Is there any discussion? If not, the question is shall the
11. Senate accept the Specific Recommendations of the Governor as to
12. Senate Bill 950 in the manner and form just stated by Senator
13. D'Arco. Those in favor will vote Aye. Those opposed will vote Nay.
14. The voting is open. Have all voted who wish? Have all voted who
15. wish? Take the record. On that question the Ayes are 49. The
16. Nays are none. None Voting Present. The Specific Recommendations
17. of the Governor as to Senate Bill 950, having received the required
18. constitutional majority vote of Senators elected are declared
19. accepted. 990, Senator Egan. On the Order of Specific Recommen-
20. dations for Change, the middle of page 10, there is a motion filed
21. with respect to Senate Bill 990. Read the motion, Mr Secretary.

22. SECRETARY:

23. I move to accept the Specific Recommendations of the Governor
24. as to Senate Bill 990 in the manner and form as follows. Signed,
25. Senator Egan.

26. PRESIDENT:

27. Senator Egan.

28. SENATOR EGAN:

29. Thank you, Mr. President and members of the Senate. I move
30. to accept the Specific Recommendations of the Governor for the
31. purpose that they do change and clarify and more narrowly define the
32. Commission's authority to receive and expend Federal funds. I've
33. discussed it with the Commission. They are in total agreement and
I move that we accept the recommendation.

1. PRESIDENT:

2. Is there any discussion? If not, the question is shall the
3. Senate accept the Specific Recommendations of the Governor as to
4. Senate Bill 990 in the manner and form just stated by Senator Egan.
5. Those in favor will vote Aye. Those opposed will vote Nay. The
6. voting is open. Have all voted who wish? Have all voted who wish?
7. Take the record. On that question the Ayes are 52. The Nays are
8. none. None Voting Present. The Specific Recommendations of the
9. Governor as to Senate Bill 990, having received the required
10. constitutional majority vote of Senators elected are declared
11. accepted. Senator Berman on 1000. The middle...On the Order of
12. Specific Recommendations for Change, the middle of page 10, there
13. is a motion filed with respect to Senate Bill 1000. Read the
14. motion, Mr. Secretary.

15. SECRETARY:

16. I move to accept the Specific Recommendations of the Governor
17. as to Senate Bill 1000 in the manner and form as follows. Signed,
18. Senator Berman.

19. PRESIDENT:

20. Senator Berman.

21. SENATOR BERMAN:

22. Thank you, Mr. President. Senate Bill 1000 as originally
23. passed, would have provided that payments for the placement of
24. handicapped children in private facilities be paid directly by
25. the State agency that's responsible for the placement. The
26. Governor's amendatory language changes it to provide that the local
27. school board shall make the direct payment and...subject to being
28. reimbursed by the appropriate State agency. This, of course,
29. shifts the burden to provide full appropriation by the Legislature
30. for these costs. If they are not going to be fully appropriated,
31. it's going to be the school board that's going to have to pick up
32. the balance of that money. The problem that we find ourselves,
33. however, in determining whether we are going to accept or reject

1. the Governor's language is that under the Governor's Purchase
2. Care Review Board at the present time there are State...there are
3. schools that are refusing to accept Illinois children because of
4. their regulations and mixup. I think that although I agree with
5. the original intent of the bill, at the present time, in order to
6. provide services to these handicapped children, I'm going to move
7. that we accept the Governor's recommended changes and take a look
8. at it after the Governor's Purchase Care Review Board gets its act
9. together. So, I move to adopt the Governor's changes.

10. PRESIDENT:

11. Any discussion? Senator Buzbee.

12. SENATOR BUZBEE:

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

14. PRESIDENT:

15. Indicates he will yield. Senator Buzbee.

16. SENATOR BUZBEE:

17. Am I to understand now that, let's say the Department of Mental
18. Health and Developmental Disabilities decides to send a child to
19. a private nursing home in Carbondale, Illinois, then it's up to
20. that local school district which they are presently doing...from
21. a nursing home's children that are there right now to pick up the
22. cost under the way the Governor's amendatorily vetoed this bill and
23. then wait for reimbursement and, in fact, in some cases it's months
24. and, in fact, almost a year behind in their...in their collecting
25. the reimbursement from IOE. Is that the...the impact of...of the
26. bill the way the Governor's amendatorily vetoed it?

27. PRESIDENT:

28. Senator Berman.

29. SENATOR BERMAN:

30. No, this is...this is for placements under Section 702 which
31. are placements that are made by the school district originally.
32. Placements that are made by the State agencies for children that
33. don't go through the 94142 procedures isn't touched by this bill.

1. PRESIDENT:

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Let me state the question another way then. Let's assume
5. that the Chicago School Board has a child that they say that
6. could best be taken care of in this facility in Carbondale, Illinois.
7. Now, Carbondale...the combination of the high school and grade
8. school there have a consortium in the operation of this school.
9. Now, it's going to be up to Carbondale to educate this Chicago
10. child and then wait for reimbursement through a proper State agency.
11. Is that correct?

12. PRESIDENT:

13. Senator Berman.

14. SENATOR BERMAN:

15. No, it's Chicago's obligation. Chicago pays it. Chicago
16. waits for the reimbursement.

17. PRESIDENT:

18. Senator Buzbee.

19. SENATOR BUZBEE:

20. Well, somewhere along the line I have missed completely what
21. you said then. I thought you said that the Governor's Amendatory
22. Veto would say that the proper agency does not have to make payment
23. now, but instead we would...we would wait for the Governor's
24. Purchase Care Review Board to decide whether to pay or not. If I'm
25. wrong, why please correct me.

26. PRESIDENT:

27. Senator Berman.

28. SENATOR BERMAN:

29. Well, let me try to start all over a little bit and see if
30. this answers your question. These are for placements of handicapped
31. children that are placed according to the procedures whereby the
32. child is registered in its local school, evaluation is made and
33. the determination is made that this child should go to some other

1. facility outside of that school district for its educational needs.
2. Under the bill as introduced, it would have provided that the
3. State agency that would have had to pick up part or all of that
4. child's costs would have paid those costs directly to the supplying
5. facility. The way the bill has been amended...amendatorily changed
6. is that if Chicago places that child in Carbondale, Chicago picks
7. up the costs, Chicago submits, as it does now, a bill to the State
8. for the...under the formula which is...you know, it's...the amount
9. over its per capita up to a level and then a double per capita over
10. that and...but the...Chicago is the one that bills the State and waits
11. for reimbursement. The facility, if it's in Carbondale, gets all
12. its money from Chicago.

13. PRESIDENT:

14. Any further discussion? Senator Maitland.

15.
16. (End of Reel #2)
17.
18.
19.
20.
21.
22.
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.

1. SENATOR MAITLAND:

2. Question of Senator Berman.

3. PRESIDENT:

4. Indicates he'll yield. Senator Maitland.

5. SENATOR MAITLAND:

6. Senator Berman, are we talking also about kids who are
7. wards of the...of the court and therefore the responsibility
8. of DCFS?

9. PRESIDENT:

10. Senator Berman.

11. SENATOR BERMAN:

12. No, that's 14703 placement, this is only 14702.

13. PRESIDENT:

14. Any further discussion? Senator Buzbee.

15. SENATOR BUZBEE:

16. Yes, I...I...I have one final question of Senator Berman.

17. PRESIDENT:

18. Indicates he'll yield.

19. SENATOR BUZBEE:

20. I...I'm sure that...that...that the Chicago School District
21. has got to be the largest placer in the State, obviously. A...
22. why don't you simply move to override the Governor's change and
23. ...and let's make the folks pay and...and get the reimbursement
24. the way they're supposed to.

25. PRESIDENT:

26. Senator Berman.

27. SENATOR BERMAN:

28. That was my initial reaction when I saw the Governor's
29. Message. The problem is...that you have facilities today that
30. are refusing to take any Illinois children. Not because of
31. the question of who's originally paying, but because of the
32. confusion that has been engendered by the Governor's Purchase
33. Care Review Board in setting the...the allowable rates. This

1. is jeopardizing tens, if not hundreds, of children who are
2. receiving these services in...in...facilities in and outside
3. of Illinois. I think that in order...we could stand on this
4. and...and try to override, but I'm concerned that all that we're
5. going to do in proving that point is to add another problem
6. in the placement and servicing of these children. If it was
7. other times and the Purchase Care Review Board had its act
8. together and everything was going smoothly, I'd probably agree
9. with you and move to override. I just don't want to add another
10. problem to the acceptance of these children by these facilities
11. ...and to give them another reason to reject Illinois children.

12. PRESIDENT:

13. Any further discussion? Senator Berman, you wish to close?

14. SENATOR BERMAN:

15. Roll call.

16. PRESIDENT:

17. The question is shall the Senate accept the Specific
18. Recommendations of the Governor as to Senate Bill 1000 in
19. the manner and form just stated by Senator Berman. Those in
20. favor will vote Aye. Those opposed will vote Nay. The voting
21. is open. Have all voted who wish? Have all voted who wish? Take
22. the record. On that question the Ayes are 54, the Nays are 1,
23. none Voting Present. The Specific Recommendations of the Governor
24. as to Senate Bill 1000, having received the required constitutional
25. majority vote of Senators elected are declared accepted. 1040,
26. Senator Maragos. 1341, Senator Berman. Senator Berman, do you
27. wish to proceed...1341? On the Order of Specific Recommendations
28. for Change, bottom of page 10 is...is a motion filed with respect
29. to Senate Bill 13...41. Read the motion, Mr. Secretary.

30. SECRETARY:

31. I move to accept the Specific Recommendations of the Governor
32. as to Senate Bill 1341 in the manner and form as follows. Signed,
33. Senator Berman.

34. PRESIDENT:

35. Senator Berman.

SB 1344
Amendatory
10-16-79

1. SENATOR BERMAN:
2. Thank you, Mr. President. The Governor...his Amendatory
3. Veto made...two major changes in this bill. Number one is that
4. when the bill originally passed we added a private provider and
5. a consumer representative to the Governor's Purchase Care Review
6. Board. Essentially the reason for that in the original bill was
7. because the Governor had not moved to appoint the Special
8. Education Advisory Commission which was intended to lend consumer
9. and provider voices in the provision...in the providing of handi-
10. capped services. Since that time, the Governor has moved,
11. the Advisory Commission has gone on board and I think that the
12. need for the original addition to that board has now been alleviated.
13. The other one is a amendatory language on a bill that was added...
14. a...it...it was lost in the House, it was added in the Senate.
15. But upon reflection we felt, the Governor felt and many of us
16. agreed with him that the language wasn't necessary as far as the
17. power of...district that County Superintendents of Educational
18. Service Regents to be able to provide alternative education
19. programs directly. So I move the adoption of the Governor's
20. Amendatory Veto language.

21. PRESIDENT:
22. Is there any discussion? If not, the question is shall the
23. Senate accept the Specific Recommendations of the Governor as to
24. Senate Bill 1341 in the manner and form just stated by Senator
25. Berman. Those in favor will vote Aye. Those opposed will 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 are
28. 55, the Nays are 2, none Voting Present. The Specific Recommendations
29. of the Governor as to Senate Bill 1341, having received the required
30. constitutional majority vote of Senators elected are declared accepted.
31. 1344, on the Order of Specific Recommendations for Change, there's
32. a motion filed with respect to Senate Bill 1344. Read the motion,
33. Mr. Secretary.

1. SECRETARY:

2. I move to accept the Specific Recommendations of the Governor
3. as to Senate Bill 1344 in the manner and form as follows. Signed,
4. Senator Vadalabene.

5. PRESIDENT:

6. Senator Vadalabene.

7. SENATOR VADALABENE:

8. Yes, thank you, Mr. President and members of the Senate.
9. Governor Thompson approved the legislation, Senate Bill 1344
10. with one recommended change to clarify language in the bill which
11. made arson investigation a function of the Fire Marshal's office.
12. The Governor's Recommended Change is to insure the investigation
13. of arson is done by the appropriate State or local law enforce-
14. ment personnel and I move to accept the Specific Recommendation
15. of the Governor as to Senate Bill 1344.

16. PRESIDENT:

17. Any discussion? If not, the question is shall the Senate
18. accept the Specific Recommendations of the Governor as to Senate
19. Bill 1344 in the manner and form just stated by Senator Vadalabene.
20. Those in favor will vote Aye. Those opposed will vote Nay. The
21. voting is open. Have all voted who wish? Have all voted who
22. wish? Take the record. On that question the Ayes are 55, the
23. Nays are none, none Voting Present. The Specific Recommendations
24. of the Governor as to Senate Bill 1344, having received the required
25. constitutional majority vote of Senators elected, are declared
26. accepted. Does any other member have a motion filed? Senator
27. Vadalabene. All right, with leave of the Body, we'll go back to
28. the bottom of page 7. On the Order of Specific Recommendations
29. for change and the motion filed with respect to Senate Bill 50.
30. Senate Bill 50. Read the motion, Mr. Secretary.

31. SECRETARY:

32. I move to accept the Specific Recommendations of the Governor
33. as to Senate Bill 50 in the manner and form as follows. Signed,

1. Senator Vadalabene.

2. PRESIDENT:

3. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Yes, the Governor's Amendatory Veto reduced the size of
6. the commission from ten to nine, increasing from three...from
7. two to three, the maximum number of the...of the Governor's appoint-
8. ments who may be of the same political party and by permitting
9. the Senate Majority Leader and the House Minority Leader to
10. appoint a...member. The Amendatory Veto would permit Governor
11. Thompson, Senator Shapiro and Representative Ryan to appoint
12. a Republican majority to the commission. I move to...to accept
13. the Specific Recommendations of the Governor as to Senate Bill 50
14. so that we can get this commission on the road so that we can have
15. a seat in Washington in regard to the Great River Road funding.

16. PRESIDENT:

17. Any discussion? If not, the question is shall the Senate
18. accept the Specific Recommendations of the Governor as to Senate
19. Bill 50 in the manner and form just stated by Senator Vadalabene.
20. Those in favor will vote Aye. Those opposed will vote Nay.
21. The voting is open. Have all voted who wish? Have all voted
22. who wish? Take the record. On that question the Ayes are 43,
23. the Nays are 4, none Voting Present. The Specific Recommendations
24. of the Governor as to Senate Bill 50, having received the required
25. constitutional majority vote of Senators elected, are declared
26. accepted. Senator Shapiro for what purpose do you arise?

27. SENATOR SHAPIRO:

28. Point of personal privilege, Mr. President.

29. PRESIDENT:

30. State your...state your point sir.

31. SENATOR SHAPIRO:

32. I would like to take this opportunity to introduce one of
33. our former colleagues from this side of the aisle, Senator Soper.

1. Would you please stand up.

2. PRESIDENT:

3. Senator Shapiro.

4. SENATOR SHAPIRO:

5. Mr. President, Ladies and Gentlemen of the Senate. I would
6. also like to move that the appropriate rule be suspended so that
7. former Governor Dick Ogilvie, can have the free use of the Floor.

8. PRESIDENT:

9. You've heard the motion. Is leave granted? Leave is granted.
10. Senate...hi, Governor, come on in, come on up here. Governor,
11. Richard Ogilvie.

12. GOVERNOR OGILVIE:

13. (Remarks given by Governor Richard Ogilvie)

14. PRESIDENT:

15. On the Order of Specific Recommendations for Change, beginning
16. again at page 7 of the Calendar. I am informed that there have
17. been three motions filed asking to override those Specific
18. Recommendations. Senate Bill 48, Senator Lemke. Senate Bill 176,
19. Senator Sangmeister. Senate Bill 1396, Senator Maragos. Senator
20. Wooten, for what purpose do you arise?

21. SENATOR WOOTEN:

22. For the purpose of an announcement, Mr. President. The
23. Executive Committee Session which was scheduled for 8:30 tomorrow,
24. has been cancelled. The sponsor advised me that his witnesses
25. will not be able to be here after all. And so tomorrow morning's
26. Executive Committee Meeting is cancelled. We will meet at 4:00
27. o'clock today. We have one substantive matter to hear, merit
28. selection. I would like to move through testimony pro and con
29. to a vote on that. Also we...I think we have contacted sponsors
30. of all constitutional amendments to see when they want to be heard.
31. If you would recall, I said we would hear them this fall. We have
32. some listed now for two weeks hence. If you find that you have
33. changed your mind and don't, in fact, want to call it after all,
34. please let me know, I would appreciate that. Executive Committee
35. then will meet at 4:00 this afternoon.

1. PRESIDENT:

2. Senator Buzbee, for what purpose do you arise?

3. SENATOR BUZBEE:

4. Mr. President, are we at the Order of Motions?

5. PRESIDENT:

6. Yes.

7. SENATOR BUZBEE:

8. If so, then I would like to suspend the Six Day Posting
9. Notice to have the following bills heard this afternoon in
10. the Appropriations II Committee, Senate Bill 1438, Senate Bill
11. 1442, Senate Bill 1444 and Senate Bill 1445. Those last two
12. bills, 44 and 45 have yet to be read a first time, but I would
13. like to suspend that, the appropriate rule to have those bills
14. heard this afternoon. We're also going to take testimony on
15. the Board of Higher Education his afternoon. What I'd like to
16. do is have the committee meeting about fifteen minutes after we
17. adjourn. We ought to be out of there in an hour to an hour and
18. a half max.

19. PRESIDENT:

20. All right, you've heard the motion. Is leave granted? Leave
21. is granted. Introduction of bills.

22. SECRETARY:

23. Senate Bill 1444 introduced by Senators Rock, Donnewald, Savickas,
24. Bruce and Hall.

25. (Secretary reads title of bill)

26. Senate Bill 1445 introduced by Senator Buzbee.

27. (Secretary reads title of bill)

28. 1st reading of the bills.

29. PRESIDENT:

30. Senator Buzbee, I think your motion is now in order, that
31. these be...the Committee on Assignment be...that the rules be
32. suspended, the Committee on Assignment be discharged and the
33. bills be assigned immediately to your committee for purpose of

1. hearing this afternoon. ...Senator Buzbee.

2. SENATOR BUZBEE:

3. I so move as you just stated, Mr. President.

4. PRESIDENT:

5. All right, you've heard the motion. All in favor signify
6. by saying Aye. All opposed. The Ayes have it. So ordered.
7. Senator Demuzio, for what purpose do you arise? Your light's
8. on.

9. SENATOR DEMUZIO:

10. My motor's always running. We have a meeting set up tomorrow
11. morning of the Senate Finance Committee at 8:30 and in lieu of
12. the Executive Committee being cancelled, we'd like to move that
13. meeting till 9:30 tomorrow morning in the same place, conference
14. room downstairs, 10...105. So it'll be 9:30 tomorrow.

15. PRESIDENT:

16. Senator Carroll.

17. SENATOR CARROLL:

18. Thank you, Mr. President and Ladies and Gentlemen of the
19. Senate. I would move that the Appropriations I Committee be
20. discharged from further consideration of the following three
21. bills and they be placed on the Order of 2nd reading, Senate
22. Bill 1436 of which the President is the sponsor, Senate Bill
23. 1439, Senator Mitchler is the sponsor and Senate Bill 1443, Senator
24. Regner is the sponsor. I move that those three bills be discharged
25. from Appropriations I and placed on the Order of 2nd reading.

26. PRESIDENT:

27. All right. You've heard the motion. All in favor signify
28. by saying Aye. All opposed. The Ayes have it. So ordered.
29. Senator Grotberg, for what purpose do you arise?

30. SENATOR GROTBURG:

31. Thank you, Mr. President. As regards to Senate Bill 185, I
32. would ask that the President do appoint members of the Senate to
33. a 2nd Conference Committee regarding that bill which has been

1. languishing in the House in this period of time.

2. PRESIDENT:

3. I understand the Message from the House has been journalized
4. with respect to Senate Bill 185. The House has requested the
5. appointment of a 2nd Conference Committee. Senator Grotberg
6. has moved that we accede to the request of the House. All in favor
7. signify by saying Aye. All opposed. The Ayes have it. So ordered.
8. Is there any further business to come before the Senate? Senator
9. Buzbee.

10. SENATOR BUZBEE:

11. Just one final reminder. If...if you're getting ready to
12. dismiss, Mr. President, the Appropriations II Committee will be
13. meeting fifteen minutes after adjournment in Room 400. We'll
14. be out before Senator Wooten's 4:00 o'clock meeting, any of you
15. that may have a conflict.

16. PRESIDENT:

17. All right, if there's no further business to come before
18. the Senate, Senator Donnewald moves that the Senate stand adjourned
19. until Wednesday, October 17, at the hour of 11:00 o'clock a. m.
20. The Senate stands adjourned.

21.
22.
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.