

81ST GENERAL ASSEMBLY

REGULAR SESSION

OCTOBER 17, 1979

1. PRESIDENT:

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

7. FATHER FRICKER:

8. ( Prayer by Father Jack Fricker )

9. PRESIDENT:

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

11. SENATOR NEGA:

12. Mr. President. I move that reading and approval of the  
13. Journal of Tuesday, October the 16th, in the year 1979, be  
14. postponed pending arrival of the printed Journal.

15. PRESIDENT:

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

19. SECRETARY:

20. Senator Buzbee, Chairman of Appropriations II Committee  
21. reports out the following Senate Bills: 438, 442...or 1438, 1442,  
22. 1444, and 1445, with the recommendation Do Pass.

23. PRESIDENT:

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Thank you, Mr. President. At this time I would move that  
27. we suspend the rules, have those four bills that were just  
28. reported to be read a second time today so that we can get them  
29. on the Order of 3rd so we can pass on them tomorrow. Senator  
30. Regner has one of those bills, I've forgotten which one it is.  
31. On Senate Bill 1442, Senator Regner agreed in committee yesterday,  
32. that he would hold that bill tomorrow unless the Scholarship  
33. Commission gets back to us with appropriate information, but I would

1. move now at this time that we go ahead and suspend the rules  
2. and vote...and read them a second time.

3. PRESIDENT:

4. All right, you've heard the motion. Is leave granted?  
5. Leave is granted. On the Order of Senate Bills 2nd reading,  
6. we'll move to that order of business, we have these four  
7. bills, and three on the Calendar. If you'll turn to page  
8. 2 on the Calendar, on the Order of Senate Bills 2nd reading,  
9. Senate Bill 1436. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1436.  
12. ( Secretary reads title of bill )  
13. 2nd reading of the bill. No committee amendments.

14. PRESIDENT:

15. Any amendments from the Floor?

16. SECRETARY:

17. No Floor amendments.

18. PRESIDENT:

19. 3rd reading. On the Order of Senate Bills 2nd reading,  
20. Senate Bill 1439. Read the bill, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 1439.  
23. ( Secretary reads title of bill )  
24. 2nd reading of the bill. No committee amendments.

25. PRESIDENT:

26. Any amendments from the Floor?

27. SECRETARY:

28. No Floor amendments.

29. PRESIDENT:

30. 3rd reading. On the Order of Senate Bills 2nd reading,  
31. Senate Bill 1443. Read the bill, Mr. Secretary.

32. SECRETARY:

33. Senate Bill 1443.

1. ( Secretary reads title of bill )  
2. 2nd reading of the bill. No committee amendments.  
3. PRESIDENT:  
4. Any amendments from the Floor?  
5. SECRETARY:  
6. No Floor amendments.  
7. PRESIDENT:  
8. 3rd reading. On the Order of Senate Bills 2nd reading,  
9. Senate Bill 1438. Read the bill, Mr. Secretary.  
10. SECRETARY:  
11. Senate Bill 1438.  
12. ( Secretary reads title of bill )  
13. 2nd reading of the bill. No committee amendments.  
14. PRESIDENT:  
15. Any amendments from the Floor?  
16. SECRETARY:  
17. No Floor amendments.  
18. PRESIDENT:  
19. 3rd reading. On the Order of Senate Bills 2nd reading,  
20. Senate Bill 1442. Read the bill, Mr. Secretary.  
21. SECRETARY:  
22. Senate Bill 1442.  
23. ( Secretary reads title of bill )  
24. 2nd reading of the bill. No committee amendments.  
25. PRESIDENT:  
26. Any amendments from the Floor?  
27. SECRETARY:  
28. No Floor amendments.  
29. PRESIDENT:  
30. 3rd reading. On the Order of Senate Bills 2nd reading,  
31. Senate Bill 1444. Read the bill, Mr. Secretary.  
32. SECRETARY:  
33. Senate Bill 1444.

1. ( Secretary reads title of bill )

2. 2nd reading of the bill. No committee amendments.

3. PRESIDENT:

4. Any amendments from the Floor?

5. SECRETARY:

6. No Floor amendments.

7. PRESIDENT:

8. 3rd reading. On the Order of Senate Bills 2nd reading,

9. Senate Bill 1445. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 1445.

12. ( Secretary reads title of bill )

13. 2nd reading of the bill. No committee amendments.

14. PRESIDENT:

15. Any amendments from the Floor?

16. SECRETARY:

17. No Floor amendments.

18. PRESIDENT:

19. 3rd reading. Resolutions.

20. SECRETARY:

21. Senate Resolution 279, offered by Senator Mitchler, and

22. it's congratulatory. Senate Resolution 280, offered by Senator

23. D'Arco, and it's congratulatory. Senate Resolution 281, offered

24. by Senators Berman, Rock, and all Senators, and it's congratu-

25. latory. Senate Resolution 282, offered by Senator Mitchler and

26. all Senators, and it's congratulatory. Senate Resolution 283,

27. offered by Senator Mitchler and all Senators, and it's congratu-

28. latory, and Senate Resolution 284, offered by Senators Rock,

29. Egan and all Senators, and it's a death resolution.

30. PRESIDENT:

31. Consent Calendar. Resolutions.

32. SECRETARY:

33. Senate Resolution 285, offered by Senator Grotberg, and it's  
congratulatory.

1. PRESIDENT:

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

4. SENATOR VADALABENE:

5. Yes, thank you, Mr. President, and members of the Senate.  
6. For a motion.

7. PRESIDENT:

8. State your motion.

9. SENATOR VADALABENE:

10. As the members of the Executive Appointments and Administration  
11. Committee is aware the House failed to pass the Omnibus Easement  
12. Bill, which was prepared in our committee, as a result we need  
13. to discharge from committee the attached list of easement bills.  
14. All of these bills have had appraisals filed with our committee,  
15. and have been heard as part of the Omnibus Bill. So, I would...  
16. so, I would like at this time, Mr. President, to...to enumerate  
17. the bills that were in the House...or in the committee, in the  
18. House...House Bill..easement bills.

19. PRESIDENT:

20. All right, you've heard the motion. The motion is to  
21. discharge the Committee on Executive Appointments from fruther  
22. considerations of the bills which Senator Vadalabene will  
23. enumerate. I understand there are some thirty or thirty-five  
24. easement bills, Senator Vadalabene, why don't you provide  
25. the Secretary with a copy of the list, if you can.

26. SENATOR VADALABENE:

27. I will, I'll supply him with the list, and I'll also  
28. read them slowly.

29. PRESIDENT:

30. All right.

31. SENATOR VADALABENE:

32. The easement bills...

33. PRESIDENT:

Yes, hold...hold on. Senator Graham, for what purpose do you arise?

1. SENATOR GRAHAM:

2. If the Senator from Edwardsville will yield, I have a  
3. couple of guests here in the gallery that I would like to  
4. introduce.

5. PRESIDENT:

6. He indicates he will yield. Senator Graham.

7. SENATOR GRAHAM:

8. I'd like to introduce probably the worst gin rummy player  
9. in Village of Barrington, Andy Anderson and Bill Lussow, who's  
10. troubled with a problem of getting oil from our furnace this year.  
11. I'd like to have them stand and be recognized by the Senate.  
12. The guy with the red vest...

13. PRESIDENT:

14. Will our guest please stand and be recognized.

15. SENATOR GRAHAM:

16. The guy with the red vest..the poor gin rummy player. Thank  
17. you very much Senator Vadalabene.

18. PRESIDENT:

19. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Yes, thank you, Mr. President, and members of the Senate.  
22. The following easement bills are House Bill 1099, House Bill  
23. 1101, House Bill 1102, House Bill 1103, House Bill 1104, House  
24. Bill 1105, House Bill 1106, House Bill 1107, House Bill 1108,  
25. House Bill 1109, House Bill 1112, House Bill 1113, House Bill  
26. 1114, House Bill 1115, House Bill 1116, House Bill 1117, House  
27. Bill 1118, House Bill 1119, House Bill 1120, House Bill 1121,  
28. House Bill 1122, House Bill 1445, House Bill 1446, House Bill  
29. 1447, House Bill 1448, House Bill 1449, House Bill 1450, House  
30. Bill 1451, House Bill 1452, House Bill 1453, House Bill 1454,  
31. and House Bill 1455, and now, Mr. President, I move to discharge  
32. the Committee on Executive and Appointments in regard to these  
33. House Bills that I just enumerated, and have them advanced to  
the Floor for 2nd reading.

AS 17  
10-17-79  
Date of the day.

1. PRESIDENT:  
2. All right, you've heard the motion, is there any discussion?  
3. If not, Senator Vadalabene has moved to discharge the Committee  
4. on Executive Appointments from further consideration of those  
5. aforementioned House Bills, and ask that they be placed on  
6. the Order of 2nd reading. All those in favor signify by saying  
7. Aye. All those opposed. The Ayes have it. So ordered. All  
8. right, Gentlemen, we've had...or caused to be placed on your  
9. desk a list of the motions that have, as of 11:00 o'clock this  
10. morning been filed with the Secretary. I'm informed that there  
11. have been some filed since, we will attempt, at least, to go right  
12. down the line. All right, we will begin on page 2 on the Calendar,  
13. on the Order of Total Vetoes. You've been provided with a list  
14. of the motions that have been filed as...as of 11:00 o'clock,  
15. additional motions have been filed to which I will alert the  
16. membership at the appropriate time. Senator Davidson, for what  
17. purpose do you arise?

18. SENATOR DAVIDSON:  
19. Personal...personal privilege.

20. PRESIDENT:  
21. State your point, Sir.

22. SENATOR DAVIDSON:  
23. Mr. President, and members of the Senate. Could I have  
24. your attention fellows, you're going to like this. I'd like  
25. to introduce to the members of the Senate the First Lady of  
26. Springfield, Mrs. Carolyn Houston, and members of the Junior  
27. League who are with us in the south gallery. Would you please  
28. rise and be acknowledged.

29. PRESIDENT:  
30. Will our guests please rise and be recognized. All right,  
31. on the Order of Total Vetoes, Senate Bill 41, Senator Lemke.  
32. Senate Bill 47, Senator Lemke. All right, on the Order of  
33. Total Vetoes, page 2 on the Calendar, there has been a motion  
filed with respect to Senate Bill 47. Read the motion, Mr. Secretary.

1. SECRETARY:

2. I move that Senate Bill 47 Do Pass, the veto of the Governor  
3. to the contrary notwithstanding. Signed, Senator Lemke.

4. PRESIDENT:

5. All right, will the members please be in their seats, and  
6. will those not entitled to the Floor please vacate. Senator  
7. Lemke.

8. SENATOR LEMKE:

9. I think Senate Bill 47 has been well explained in the  
10. newspapers, and the Governor's Veto Session has stated that  
11. the supposed bill is unconstitutional. I don't think the  
12. Governor went to the new decision that came down, and as it was  
13. recently, I think it was sent to everybody as to each section,  
14. the constitutionality of each section of this bill, that each  
15. section there's cases that say it's constitutional, and the  
16. provisions, some are duplicate to what we presently have. This  
17. bill just simply replaces the...the provisions that were taken  
18. out and rewriting of the provisions. I ask for a favorable  
19. roll call.

20. PRESIDENT:

21. Is there any discussion? Yes, Senator Keats.

22. SENATOR KEATS:

23. I wanted to take one moment to ask the members to sustain  
24. the Governor...the veto. The Governor has vetoed this particular bill.  
25. The issue really has been unconstitutionality of this partiucular piece  
26. of legislation, and I ask each of you to take into account  
27. that when this bill went through on the last rating, the end  
28. of June, it only received 35 affirmative votes, so don't feel  
29. that you should just ride with it simply because it's going  
30. through. The bill did not have enough votes to override when  
31. it passed. So, I would ask each of you to consider that at  
32. that time on June 29th, it received 35 votes, and the main issue  
33. has been unconstitutionality if you feel we should simply  
invest another quarter of a million dollars in legal fees, this



AB 87  
Committee  
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1. would be a good bill to vote for. If you feel that it's  
2. already been proven in numerous court cases, that it  
3. probably is unconstitutional. I would ask that you sustain  
4. the Governor's veto. Thank you.

5. PRESIDENT:

6. Is there any further discussion? Senator Lemke, do you wish  
7. to close debate?

8. SENATOR LEMKE:

9. I ask for a favorable rollcall.

10. PRESIDENT:

11. All right, the question is...the question is, shall Senate  
12. Bill 47 pass, the veto of the Governor to the contrary notwith-  
13. standing. Those in favor will vote Aye. Those opposed will  
14. vote Nay. The voting is open. Have all voted who wish?  
15. Have all voted who wish? Have all voted who wish? Have all  
16. voted who wish? Take the record. On that question, the Ayes  
17. are 33, the Nays are 12. 4 Voting Present. The motion fails.  
18. On the Order of Total Vetoes, Senate Bill 87, Senator Grotberg.  
19. On the Order of Total Vetoes, bottom of page 2 on the Calendar,  
20. there has been a motion filed with respect to Senate Bill 87. Read  
21. the motion Mr. Secretary.

22. SECRETARY:

23. I move that Senate Bill 87 Do Pass, the veto of the Governor  
24. on the contrary notwithstanding. Signed, Senator Grotberg.

25. PRESIDENT:

26. Senator Grotberg.

27. SENATOR GROTBORG:

28. Thank you, Mr. President, and members of the Senate.  
29. Senate Bill 87, was the twenty-five hundred dollar deductibile  
30. medical program for the County and municipal jails of the State  
31. of Illinois, wherein any individual case of medical charges within  
32. a jail or its prisoners in for State offenses, that the State  
33. would guarantee and be billable for any amount over twenty-five  
hundred dollars. I wish Senator Maragos were here to speak and

1. others on the County Problems Commission might wish to address this  
2. situation. The Governor vetoed this because really nobody  
3. knows exactly what it would cost. He claims 2.5 million  
4. annually. I have cause to be placed upon your desks the  
5. same homework we did last Spring when we passed it out of this  
6. Body with a substantial vote, in which the cases of several  
7. counties, mostly urban in this case, the County of Kane for  
8. instance, had a total medical cost of eighty-three thousand  
9. dollars, and they had two cases in a one year experience over  
10. twenty-five hundred. One for twenty-three thousand, one for  
11. three thousand seven hundred and sixty-three. DuPage had one  
12. for fourteen thousand. The counties that we studied, those are  
13. the only two that had such charges over and above the twenty-  
14. five hundred dollar mark. Now the rationale for this, Ladies and  
15. Gentlemen of the Senate, is that nobody knows who's going to  
16. come to jail and need serious medical attention. Of course  
17. counties can't budget for it, and be too accurate, neither can  
18. the State, but on a State-wide basis, it will be much better  
19. if the impact of such billing were carried in the budget of the  
20. State of Illinois for the amounts that the counties cannot  
21. budget for, at least, they know that they should budget for  
22. twenty-five hundred dollars for several incidents depending  
23. on the population. We have also caused to be written a  
24. rationale for this, and I placed that on your desk as a separate  
25. document, I'm sure you haven't had time to read it very  
26. carefully, but it's an important issue. I take the issue and  
27. I've been support. you've heard me on my feet more for corrections  
28. in the State of Illinois' posture towards criminal justice than  
29. any other issue, but on this issue I take the cudgel for the  
30. counties of the State of Illinois, who from time to time get  
31. seriously hurt in their budget process because of the time  
32. frames that they are in, unable to budget ahead for emergency  
33. medical coverage for unpredictable items of concern that come  
through the county jails. If others would care to address it,

1. I would appreciate your support. We certainly would like  
2. to override and send over to the House the Governor's  
3. veto notwithstanding, the concept of a twenty-five hundred  
4. dollar minimum that the counties would have to pay. Thank  
5. you very much. I'll be glad to answer questions.

6. PRESIDENT:

7. Is there any discussion? Is there any discussion? If  
8. not, the question is, shall Senate Bill 87 pass, the veto  
9. of the Governor to the contrary notwithstanding. Those in  
10. favor will vote Aye. Those opposed will vote Nay. The voting  
11. is open. Have all voted who wish? Have all voted who wish?  
12. Take the record. On that question, the Ayes are 50, the Nays  
13. are 3. None Voting Present. Senate Bill 87 having received  
14. the required three-fifths is declared passed, the veto of the  
15. Governor to the contrary is notwithstanding. 101, Senator  
16. Schaffer. On the Order of Total Vetoes, top of page 3 on the  
17. Calendar, there's been a motion filed with respect to Senate  
18. Bill 101. Read the motion, Mr. Secretary.

19. SECRETARY:

20. I move that Senate Bill 101 Do Pass the veto of the Governor  
21. to the contrary notwithstanding. Signed, Senator Schaffer.

22. PRESIDENT:

23. Senator Schaffer...

24. SECRETARY:

25. And Geo-Karis.

26. SENATOR SCHAFFER:

27. Mr. President, and members of the Senate. This bill is  
28. somewhat controversial, and I have attempted to pass out a  
29. fact sheet that was supplied to me by Dave Hartigan on what  
30. we feel are the legitimate cost figures. The public sector has,  
31. I think, overreacted on the cost implications of this bill.  
32. I think, in all candor, that some of our friends in Public  
33. Education, and they are my friends, because I've been a constant

1. supporter of Public Education, have made up their minds that  
2. they are against any form of support for transportation of  
3. non-public students. I can go into their reasoning, but I think  
4. most of us are probably aware of it. One thing I think is  
5. clear, no one is challenging the constitutionality of this  
6. bill, it is clearly constitutional. It's really a question of  
7. the fiscal implications. I believe the fiscal implications are  
8. reasonable and limited and the proponents say top end of about  
9. five million, the opponents, I see in the Governor's Message,  
10. a figure of twenty-seven million. I suspect that both figures  
11. are probably not totally accurate, but it's obvious to me that  
12. if we can spend a hundred million dollars on the welfare and  
13. safety of public school students, we certainly can spend a much  
14. limited amount on the safety and health of non-private schools.  
15. I think it's also important that the bus system paid for by all the  
16. taxpayers to transport school kids safely to school should be  
17. available to all the citizens of this State. I'll be happy  
18. to answer any questions. I'd appreciate a vote on this over-  
19. ride motion.

20. PRESIDENT:

21. Is there any discussion? Senator Geo-Karis.

22. SENATOR GEO-KARIS:

23. Mr. President, and Ladies and Gentlemen of the Senate.  
24. I speak in favor of the override on this bill. I cannot help  
25. but feel that Director Mandeville took in the school children  
26. of Chicago and that district of five hundred thousand school  
27. people, is explicitly..explicitlynot involved in this bill,  
28. and I might add that the Supreme Court of the United States  
29. in June of this year affirmed a like law of Pennsylvania, which  
30. was in operation for six years, and it found it constitutional  
31. because it affected the health,safety, and welfare of the  
32. children, not religion. I'm a firm believer in helping our  
33. non-public schools because if we don't we are going to increase  
the tax burden on...on our taypayers, and remember the taxpayers

1. pay for the support of the public schools. I have supported  
2. every meaningful bill for the public schools, but I think that  
3. the non-public schools are entitled to some consideration, and  
4. I think the parents who send their children to the non-public  
5. schools are entitled to some consideration since they pay the  
6. taxes for the public school children and do not benefit for  
7. their children who go to the non-public schools. I think it's  
8. a good bill, and I feel constrained to vote...ask everyone of  
9. you to vote for this bill, because we've got to be fair. We  
10. cannot eliminate the consideration of those parents who help support  
11. our children in public schools.

12. PRESIDENT:

13. Further discussion? Senator Martin.

14. SENATOR MARTIN:

15. First of all, it is not true that the Pope visited Chicago  
16. to lobby for 101, although, I think had he it would pass by  
17. an even greater margin. I originally opposed this bill, but  
18. I am going to change my vote. I could say I've heard the voice  
19. of the people, but the fact is, with the failure to override  
20. the Governor's veto of the Sales Tax there will be money to  
21. pay, to fully fund for both public and private schools needed  
22. transportation, and I think we should all now vote for this bill,  
23. and send it out of here.

24. PRESIDENT:

25. Further discussion? Senator Berning.

26. SENATOR BERNING:

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

28. PRESIDENT:

29. He indicates he will yield. Senator Berning.

30. SENATOR BERNING:

31. Senator Schaffer, one of the major points of concern among  
32. constituents from whom I have heard is the almost unlimited bussing  
33. outside of a school district. Can you clarify for me what I  
have been unable to define properly for these concerned students,

1. and their parents. How far does a school bus manditorily diverge  
2. from its normal route to accommodate the non-public students?

3. PRESIDENT:

4. Senator Schaffer.

5. SENATOR SCHAFFER:

6. Senator Berning, under current law the public schools pick  
7. up non-public students and bring them to the attendance center.  
8. This small change simply says, that they shall now bus them to  
9. the private school up to ten miles from the district. I might  
10. also add that many of the districts that are upset about it,  
11. privately will say yes I guess we could get together with two  
12. or three school districts and we could cut our cost down to  
13. about one-third of the figure we're talking about. I think they've  
14. overreacted, it's no more than ten miles and in most cases we're  
15. talking about a bus that would normally go back to the barns so  
16. the driver could have a coffee break. All we're saying now is  
17. that instead of going back to the barn the bus will drive a  
18. maximum of ten miles in each direction and then the Gentleman  
19. or Lady in question can have his or her coffee break. I don't  
20. think that's such a terrible burden. I can't tell you that there  
21. won't be a couple of weird instances where problems will be  
22. created, but I'll tell you I think those are minimal. I think  
23. the public school reaction has been mostly against the concept  
24. of any support for private schools, not really against the  
25. particular proposal.

26. PRESIDENT:

27. Further discussion? Senator Wooten.

28. SENATOR WOOTEN:

29. Question of the sponsor.

30. PRESIDENT:

31. He indicates he'll yield. Senator Wooten.

32. SENATOR WOOTEN:

33. I'm told that this will not apply to charter districts, is  
that true? I think they...there's some wrinkle in the way they

1. handle transportation, I'm told that it will not affect  
2. my two biggest districts.

3. PRESIDENT:

4. Senator Schaffer.

5. SENATOR SCHAFFER:

6. Senator Wooten, I...I cannot answer that question off  
7. the cuff. Senator Martin indicates that her district is  
8. a charter district, and her district is very definitely under  
9. the impression that they will be affected. That's the best  
10. answer I can give you.

11. PRESIDENT:

12. Senator Wooten.

13. SENATOR WOOTEN:

14. I'm receiving another answer over here, that sure enough  
15. they won't be, so this will have, I'm told by our districts  
16. this will have no impact on the major private schools in our area  
17. since it will not affect charter districts, and you know I'm  
18. not against some kind of subsidy for...for transportation to  
19. private schools, and as Senator Martin pointed out we'll have  
20. enough money left over to build swimming pools for all these  
21. schools if we want to, but I don't...I think they're going to  
22. be more weird instances than you imagine, and I'm...I'm told  
23. that simply will have no impact on our problems locally.

24. PRESIDENT:

25. Further discussion? Senator Rhoads.

26. SENATOR RHOADS:

27. Question of the sponsor.

28. PRESIDENT:

29. Indicates he'll yield. Senator Rhoads.

30. SENATOR RHOADS:

31. Senator Schaffer, I voted for the bill the first time  
32. through, and sometimes debate can bring out information that'll  
33. change a vote one way or another. I'm...I'm on the border  
line here, and I'd like to ask you, if a school district in my

1. district has to purchase new buses beyond what they already  
2. have in order to implement the program when is the soonest  
3. that they could get reimbursed?

4. PRESIDENT:

5. Senator Schaffer.

6. SENATOR SCHAFFER:

7. There are...there are people on the Floor of the Senate  
8. who are much more knowledgeable on this question than I, but  
9. I'm under the impression that the school districts can incorporate  
10. the cost of these new buses, the maintenance, the administration...  
11. we did pass a law this year that gives them a real shot in  
12. the arm in extra dollars, giving them the ability to charge the  
13. State for the administration of the school bus system, and they  
14. can, as far as I know, they can put the cost of these new buses  
15. into their cost figures and be reimbursed, along as they are  
16. reimbursed in the regular time table that they are reimbursed  
17. for school busing. It should be pointed out in all candor, that  
18. we do not fully fund the...fund the school bus transportation,  
19. we are in the middle ninety percentiles, we're pretty close  
20. to fully funding, and of course, that is a legitimate complaint,  
21. but I think that they will be able to put the cost of these new  
22. buses, if new buses are needed, which in most cases I don't  
23. believe they will, into their general cost figures and be reimbursed  
24. from the State, and if we fully fund that formula they should be  
25. ...they should get their full share.

26. PRESIDENT:

27. Senator Rhoads.

28. SENATOR RHOADS:

29. Well, the effective date of the bill is January 1st, 1980,  
30. and some school districts in my district are under the impression  
31. that they can't get reimbursed until the end of the '80-'81  
32. school year. Is that what your understanding would be? In  
33. other words they would be out that much cash until the '81  
school year comes along?



1. PRESIDENT:

2. Senator Schaffer.

3. SENATOR SCHAFFER:

4. My impression and my recollection of the bill, is that  
5. it just qualifies the schools to be reimbursed for these  
6. services as soon as they begin giving them. Now, they would  
7. have to file amended versions with the Office of Education,  
8. and I certainly think there could be a delay. I can't  
9. give you a definitive answer Senator, I really in all candor,  
10. can't.

11. PRESIDENT:

12. Any further discussion? Senator Maitland.

13. SENATOR MAITLAND:

14. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.  
15. I sometimes am really amazed at the rationale we use some-  
16. times to spend money and to give things to people that they  
17. may or may not want. As I articulated last Spring, I'm a  
18. strong supporter of private parochial school, support it  
19. strongly. I don't want your money, the church doesn't want  
20. your money. I've had the opportunity on a number of occasions  
21. this Summer to talk to a number of Catholics, Catholics  
22. in the Bloomington-Normal area, they're concerned about  
23. what impact this might have on their private education.  
24. Those of us who support that private education are willing to  
25. do it with our own money because we think it offers something  
26. special. We're willing to pay for it. When we lose this  
27. willingness then it's another thing and I agree, but we can't  
28. expect not to get more and more mandates from those of us in  
29. the Legislature who, in our infinite wisdom, can tell these  
30. people all the things that they need if we're going to accept  
31. this money. Let me tell you something else that's in that bill  
32. that many of you don't know about. It also says public schools...  
33. also says public schools, if, in fact, and individual doesn't  
like the school district he's in, and can get admitted to another

1. district, and adjacent district and pay the...and pay  
2. the tuition, he then can be transported by that district  
3. he's leaving. Do you see the can of worms we're opening  
4. here? It concerns the heck out of me. I think we have  
5. to take a very careful look at this legislation.

6. PRESIDENT:

7. Further discussion? Senator Regner.

8. SENATOR REGNER:

9. Mr. President, and members. I wasn't going to speak  
10. on this bill, but one-fourth of the Big 4 sitting next to  
11. me convinced me I should. Two of the previous speakers  
12. this morning had the insane logic in supporting this  
13. bill, that seems to pervade many, many times in our deliberations  
14. regarding various programs, and that logic is, we have money  
15. left, let's spend it somewhere. I think the logic we should  
16. take is, if we have some money left let's give some of  
17. it back to the taxpayers and not find new programs to  
18. spend it on, and the way I suggest we do that when and if  
19. the Governor's so-called proposal on tax relief, that  
20. really isn't, comes over from the House, let's amend it  
21. the way we want it, not the way he wants it, and send it out  
22. and do some actual tax relief for the people.

23. PRESIDENT:

24. If Senators Netsch and Carroll were in the gallery they  
25. would have been removed. Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you, Mr. President. I always knew that Senator  
28. Regner was a very intelligent man and he's just shown it  
29. once again. I...I rise to support his opposition to this  
30. bill. First of all there are a few misconceptions here.  
31. One is, and my mail has been reflecting this, why don't  
32. you do something for the students who attend parochial  
33. school as far as transportation is concerned. Let's set the  
record straight, we do provide transportation for parochial

1. students within the district. Now, what this bill would  
2. do is to say that we can go up to ten miles outside of the  
3. district lines to deliver a child to a parochial student...  
4. to a parochial school. Let me give you one of those weird  
5. objections or one of those weird cases Senator Schaffer,  
6. that you were talking about. Right south of my district in  
7. Senator John's district, is a public school district called  
8. Shawnee. Shawnee is the longest school district in the  
9. State of Illinois, it goes from the Murphysboro district all the way  
10. down the Mississippi River to the Cairo district. It's some  
11. fifty miles in length. As I understand this bill, and by the  
12. way there are two very good parochial schools in Murphysboro,  
13. one of the Catholic denomination and one of the Lutheran  
14. denomination. If a student who lives right north of Cairo  
15. in the Shawnee district tells the Shawnee district school  
16. I want to go to that parochial school in Murphysboro, that  
17. school bus is going to have to go down, pick that student up  
18. deliver it to Murphysboro, come back, go back in the afternoon  
19. pick it up again and come back. That's going to be a round  
20. trip of about two hundred and forty miles. Now, I...I concur  
21. with Senator Regner's comments that just because we got the  
22. money we shouldn't be spending it. Another point that we  
23. ought to bring out here is, we have yet. we have yet, we  
24. have never fully funded the transportation item in the school  
25. aid package, we're at about ninety-five percent this year according  
26. to Senator Schaffer's own comments, and now we're going to ask  
27. the public school districts, even though we have never ever  
28. fully funded your transportation cost, now we're going to ask  
29. you to pick up additional transportation costs. I believe  
30. very much in the private, the parochial sorts of schools that  
31. we have in this State. I'm glad we've got them, I know they  
32. provide wonderful educational opportunities, and as a matter of  
33. fact, that's what this bill was all about to start with. In the  
innercity of Chicago..in the innercity of Chicago it is generally

1. conceded that the parochial schools are better than the  
2. public schools, but a lot of those folks who used to live  
3. in the innercity of Chicago now live in the suburbs, and they  
4. would like their children to still be able to attain that  
5. education in the parochial schools in the innercity, and  
6. so as a result, the taxpayers of the State are asked to pick  
7. up the tab to...bring those students into the innercity  
8. to the parochial schools and back home again in the afternoon.  
9. I don't object to where you send your children to school,  
10. I support it, but don't ask the taxpayers of the State of  
11. Illinois to pay for the transportation outside of their  
12. own school district. I'm opposed to the bill.

13. PRESIDENT:

14. Further discussion? Senator Nimrod.

15. SENATOR NIMROD:

16. Thank you, Mr. President. I rise to support the  
17. override, and I would like to just mention one point I  
18. think that needs to be clarified, since Senator Berning  
19. and Senator Buzbee have both alluded to that problem. I  
20. had discussion with those who are in favor of this and  
21. support this particular bill, the one provision that talks  
22. about this ten mile distance it's their intent and they  
23. would have accepted an amendment to the bill, it's their  
24. intent to only go to adjacent district...school district, so  
25. that would eliminate any problems of crossing districts and  
26. getting involved into further bussing, and I think that  
27. with that provision, which we can certainly address to the  
28. next Session and include in it, I think it will clarify  
29. that particular problem. I think that will eliminate any  
30. problems of any excessive bussing over distances other than  
31. through an adjacent district, and I think that point should  
32. be made so that we will not have that problem.

33. PRESIDENT:

Is there any further discussion? Senator Schaffer may

1. close the debate.

2. SENATOR SCHAFFER:

3. Briefly in answer to Senator Maitland, if someone doesn't  
4. want to use this they don't have to. In answer to several  
5. other speakers, where did we get the notion that just because  
6. somebody sends their kids to a non-public school that they  
7. somehow cease to be a taxpayer? These people pay a lot of  
8. taxes and don't get much back. This is fair, this isn't for  
9. education this is for the health and safety of kids, and  
10. if we aren't interested in the health and safety of kids,  
11. if we're going to let the egos of our public education top  
12. people, put us on the wrong side of this issue, well then  
13. shame on us. This is a good bill, I'd appreciate a favorable  
14. override vote.

15. PRESIDENT:

16. All right, the question is, shall Senate Bill 101 pass,  
17. the veto of the Governor to the contrary notwithstanding.  
18. Those in favor will vote Aye. Those opposed will vote Nay.  
19. The voting is open. Have all voted who wish? Have all  
20. voted who wish? Have all voted who wish? Take the record.  
21. On that question, the Ayes are 34, the Nays are 20. 1 Voting  
22. Present. The motion fails. All right, sponsor has requested that  
23. further consideration be postponed. Senator Newhouse, for  
24. what purpose do you arise?

25. SENATOR NEWHOUSE:

26. Thank you, Mr. President. A point of personal privilege.  
27. Mr. President, I was off the Floor when Senate Bill 47 was  
28. called and I would like it in the record that I would have  
29. voted in opposition to it had I been here.

30. PRESIDENT:

31. The Journal will so reflect. All right, the Secretary informs  
32. me that we are in receipt of a message from the Secretary of  
33. State with respect to the Governor's Proclamation calling for us

1. to go into Special Session at noon. All right, Senator  
2. Donnewald moves that the Senate stand in recess for the  
3. purpose of convening the Special Session. All in favor  
4. signify by saying Aye. All opposed. The Ayes have it.  
5. So ordered.

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RECESS

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(END OF REEL)

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Total Vetoed

Reel #2

(After Recess)

1. PRESIDENT:

2. All right. Pursuant to the recess, the Senate, in Regular  
3. Session, will come to order. We are back now on the business of  
4. Total Vetoes, top of page 3 on the Calendar, Senate Bill 106,  
5. Senator Sangmeister. On the Order of Total Vetoes, top of page  
6. 3, there is a motion filed with respect to Senate Bill 106. Read  
7. the motion, Mr. Secretary.

8. SECRETARY:

9. I move that Senate Bill 106...

10. PRESIDENT:

11. Oh, I beg your pardon. Senator Sangmeister.

12. SENATOR SANGMEISTER:

13. Mr. President and members of the Senate, I would like to, at  
14. this time, withdraw my motion to override for the reason that  
15. Senator Egan has Senate Bill 798 which covers a four percent  
16. return to the counties. Mine was ten percent. Perhaps that's too  
17. much. I'd rather go with Senator Egan's bill and would hope that  
18. we would vote to override on 798. So, at this time, Mr. President,  
19. I would move to withdraw my motion to override on Senate Bill  
20. 106.

21. PRESIDENT:

22. That motion is in order. Is leave granted? Leave is granted.  
23. The motion is withdrawn. Senate Bill 147, Senator Berman. On the  
24. Order of Total Vetoes, top of page 3, is Senate Bill...motion  
25. filed with respect to Senate Bill 147. Read the motion, Mr.  
26. Secretary.

27. SECRETARY:

28. I move that Senate Bill 147 Do Pass, the veto of the Governor  
29. to the contrary notwithstanding. Signed, Senator Berman.

30. PRESIDENT:

31. Senator Berman.

32. SENATOR BERMAN:

33. Thank you. Mr. President and Ladies and Gentlemen of the

1. Senate. Senate Bill 147 was a bill that was extensively worked  
2. on, discussed and amended to address most of the concerns by the  
3. junior college boards in the State of Illinois. We had, I believe,  
4. three or four meetings of the Senate Higher Education Committee on  
5. the bill. It is a bill which received 44 votes on Concurrence and...  
6. and 40 votes at the original time of passage out of this Body and  
7. what it does is to provide that after three years or a fourth  
8. year, if the college board so sees fit, of extending the period of  
9. probation, a junior college faculty member may not be fired without  
10. notice of reasons and a hearing. This bill was vetoed by the  
11. Governor on the basis that he felt that it should be determined by  
12. the local community college boards as to determination of...firing  
13. policies.

14. PRESIDENT:

15. Will the Doorkeeper...Pardon me, Senator...Will the Doorkeeper  
16. please keep that door closed?

17. SENATOR BERMAN:

18. That's the band I brought with me for this bill.

19. PRESIDENT:

20. For this bill. That's good. We...we can hear them.

21. SENATOR BERMAN:

22. The...the problem with the Governor's reasoning and the reason  
23. that I believe this bill got a good vote in June is because out of  
24. thirty-nine community colleges in the State of Illinois, after  
25. seventeen years of existence of the community college system,  
26. ten of them, over twenty-five percent, have no policy regarding  
27. any due process hearings for the firing or discharge of faculty  
28. members. Other community college boards have taken a very arbit-  
29. rary approach and by mere resolution have changed their rules from  
30. ...from year to year. This bill only provides what I consider a  
31. basic justice, basic due process in the process of determining  
32. firing of community college board...community college faculty mem-  
33. bers. I think a bill is necessary. It is very reasonable. It was



1. amended extensively with discussions with the community college  
2. board representatives. They don't agree with it because they want  
3. to keep their prerogatives, but I think basic justice calls upon the  
4. enactment of this legislation. I ask for your vote in support of  
5. the override motion on 147.

6. PRESIDENT:

7. Is there any discussion? Senator Berning.

8. SENATOR BERNING:

9. Thank you, Mr. President and members of the Senate. I rise  
10. in opposition to the effort to override the Governor's Veto. This  
11. bill never should have passed in the first place and those of us  
12. here who have been most adamant in our contention that mandates by  
13. the Federal government on us are inappropriate, ought to be reminded  
14. that mandates by us on local levels of government, as equally in-  
15. appropriate. There isn't any justification for our telling the  
16. elected school boards or community college boards how they should  
17. conduct their affairs. I urge you to carefully weigh this matter,  
18. leave the decision to operate these community colleges with those  
19. people who have the responsibility. It is not...I repeat, it is not  
20. our responsibility, nor do we have the justification for injecting our-  
21. selves.

22. PRESIDENT:

23. Further discussion? Senator Maitland.

24. SENATOR MAITLAND:

25. Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
26. I, too, rise in opposition to the motion to override. As  
27. we talked last Spring, the fact that only ten schools hadn't imple-  
28. mented some kind of a tenure policy was...was probably very good. The  
29. ones who had the tenure policy, had some kind of a policy made, that  
30. decision on the local level. They made that decision there. One of  
31. the nicest things about the Community College Act is the fact that the  
32. trustees are elected locally, make their own policies and I think it's  
33. worked very well. I see no reason for the State Legislature man-  
dating to those districts what the policy will be. I'm strongly

1. opposed to this bill and I urge the members of the Senate to vote  
2. against the override.

3. PRESIDENT:

4. Further discussion? Senator Gitz.

5. SENATOR GITZ:

6. Mr. President and members of the Senate, I was one of the  
7. votes that was somewhat in doubt and I thought about this long and  
8. hard because I believe there is a lot to be said for local control  
9. and leaving these policy decisions in the local community college  
10. board. However, I'm going to support Senator Berman's motion and  
11. I'd like to share with you why. In the Thirty-fifth District,  
12. we have a college board, Highland Community College, which is an  
13. affront to the very dignity of this bill. This is a board which  
14. has been so arbitrary that they will call in teachers one by one  
15. with an attorney present to interrogate them about the reasons for  
16. a no confidence vote on the community college president. We have  
17. a community college president who did his best to extend a very  
18. crisis situation and faculty strike. I have no confidence in a  
19. community college board that is not responsive to the public, a  
20. community college board which has turned its back on the faculty  
21. which is the lifeblood of that institution, a community college  
22. board which does not seem to be at all sensitized to the question  
23. of due process, to the question...simply a hearing which is really  
24. the heart of Senator Berman's bill. So while we are talking about  
25. local control, I think we ought to look hard and long at those  
26. community colleges which have actually abused that mandate for  
27. local control and displayed a lack of sensitivity and for that  
28. reason, I have no recourse but to support this bill because it  
29. is...this override motion because it is the only right thing to do.

30. PRESIDENT:

31. Further discussion? Senator Nimrod.

32. SENATOR NIMROD:

33. Thank you, Mr. President. As the Minority Spokesman of Higher

1. Education, I would like to say that I would...support the Governor's  
2. position of the veto and I ask us not to override this particular  
3. bill. I do agree with him and I think that it was well pointed out  
4. in the committees that this does start to begin to get into the  
5. higher educational field and I think what we are going to be doing  
6. is certainly creating a problem in attracting the kind of profes-  
7. sors and...the whole area of education involve the higher education.  
8. I would ask us to support the Governor's position and not support  
9. the override.

10. PRESIDENT:

11. Any further discussion? Senator Berman may close the debate.

12. SENATOR BERMAN:

13. Thank you, Mr. President. I think after seventeen years this  
14. bill is called for. A reasonable policy should have been enacted  
15. by the ten schools that haven't. The other schools that have been  
16. arbitrary have invited this kind of action and it is not punitive.  
17. It is fair and just. I ask for your Aye vote on the Motion to  
18. Override.

19. PRESIDENT:

20. The question is shall Senate Bill 147 pass, the veto of the  
21. Governor to the contrary notwithstanding. Those in favor will  
22. vote Aye. Those opposed will vote Nay. The voting is open. Have  
23. all voted who wish? Have all voted who wish? Have all voted who  
24. wish? Take the record. On that question the Ayes are 44. The  
25. Nays are 12. None Voting Present. Senate Bill 147, having received  
26. the required three-fifths vote is declared passed, the veto  
27. of the Governor to the contrary notwithstanding. On the Order of  
28. Total Vetoes, Senate Bill 250, Senator Berning. Senator Berning.  
29. SENATOR BERNING:

30. Mr. President, I would like to have leave to come back to 250.  
31. This is a substantive bill and unless I can prevail with the  
32. appropriation portions, there's no point in considering this. So,  
33. when we get to Item Vetoes, if those are accomplished, then I'd like  
to come back to 250.

1. PRESIDENT:

2. All right, you have heard the request. Is leave granted? Leave is  
3. granted. 260, Senator...On the Order of Total Vetoes, the middle of  
4. page 3, there is a motion filed with respect to Senate Bill 260.  
5. Read the motion, Mr. Secretary.

6. SECRETARY:

7. I move that Senate Bill 260 Do Pass, the veto of the Governor  
8. to the contrary notwithstanding. Signed Senator Daley.

9. PRESIDENT:

10. Senator Daley.

11. SENATOR DALEY:

12. Mr. President and fellow Senators, this is a...is a supplemental  
13. appropriation dealing with the Division of Crippled Children which  
14. ...been admittedly by the Governor that it's been fully underfunded  
15. because those that live within the City, children that are crippled  
16. or have a crippling disease do not receive any funding whatsoever  
17. from the Division of...from the University of Illinois dealing with  
18. Division of Crippled Children. It was agreeable...the Division of...  
19. Department of Vocational Rehab has agreed. The Department of...  
20. University of Illinois have agreed and there must have been a mis-  
21. take, I think, because of...prior to a situation that arose with  
22. many legislators, everything was okay and now the Governor totally  
23. vetoed this bill without any reason. I would ask for a vote of  
24. confidence.

25. PRESIDENT:

26. Any discussion? Senator Buzbee.

27. SENATOR BUZBEE:

28. Question of the sponsor.

29. PRESIDENT:

30. Indicates he will yield. Senator Buzbee.

31. SENATOR BUZBEE:

32. Senator Daley, this is a supplemental appropriation, as I  
33. understand it, in the FY '79, for the FY '79 year. How are we going

1. to be able to spend this money given the fact that we have already  
2. exceeded, now, the ninety day...the ninety day period to get your  
3. funds committed for the Fiscal Year.

4. PRESIDENT:

5. Senator Daley.

6. SENATOR DALEY:

7. Well, I personally believe that the Governor has found eighty  
8. million dollars for County Hospital and I think he can find or with  
9. all his power...maybe it's more of a philosophy because I have sat  
10. down with the Governor, I sat down with Department of Vocational  
11. Rehab, Senator Weaver, University of Illinois and the Illinois  
12. officials. They've all agreed that they don't fund the children  
13. of Chicago because of discriminatory practices by the...the  
14. Division of Crippled Children and maybe it's just a reminder to  
15. the Governor that we would pass this bill over to the House.

16. PRESIDENT:

17. Further discussion? Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President and Ladies and Gentlemen of the  
20. Senate. To clarify some muddy waters, this was a supplemental  
21. appropriation when it was debated here in the General Assembly.  
22. However, there is nothing in this bill as there is in general  
23. supplemental appropriations that says that the funds were to be  
24. used during FY '79. Therefore, were we to override the veto and  
25. the House to do likewise, these funds are usable in 1980, FY '80  
26. even though the debate last year was to make the funds available  
27. for '79, the bill was not worded in the way that normal supplementals  
28. are that limits the expenditure of funds to FY '79 and it says in  
29. the bill that it becomes effective upon becoming law. It would,  
30. therefore, convert to an FY '80 appropriation.

31. PRESIDENT:

32. Any further discussion? Senator Daley may close.

33. SENATOR DALEY:

1. Mr. President and fellow Senators, this corresponds really  
2. with Senate Bill 1314 which there was a complete agreement by  
3. everyone sitting down, the U of I, the Department of Vocational  
4. Rehab, and every Governor's assistant, including himself. There  
5. was agreement, but due to the...problems that...dealing with the  
6. Sales Tax, they took it out on this bill.

7. PRESIDENT:

8. All right. The question is shall Senate Bill 260 pass, the  
9. veto of the Governor to the contrary notwithstanding. Those in  
10. favor will vote Aye. Those opposed will vote Nay. The voting is  
11. open. Have all voted who wish? Have all voted who wish? Take  
12. the record. On that question the Ayes are 45. The Nays are 10.  
13. None Voting Present. Senate Bill 260, having received the required  
14. three-fifths vote is declared passed, the veto of the Governor to  
15. the contrary notwithstanding. 296, Senator Hall. On the Order of  
16. Total Vetoes, the middle of page 3, a motion filed with respect to  
17. Senate Bill 296. Read the motion, Mr. Secretary.

18. SECRETARY:

19. I move that Senate Bill 296 Do Pass, the veto of the Governor  
20. to the contrary notwithstanding. Signed Senator Hall.

21. PRESIDENT:

22. Senator Hall.

23. SENATOR HALL:

24. Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
25. If you remember back when we passed out Bill 296, that in its first  
26. form it was asked that housing authorities would have offices main-  
27. tained throughout the State. We were advised that if we were to  
28. cut it back and just put it to a place that would be in Springfield  
29. and in Chicago since Chicago is the only place they do have this  
30. housing authority. Now...so we did that and we...we agreed that  
31. this is the way we'd ask the bill in its final form and it was  
32. passed in that form. Now, I personally feel and I know a number of  
33. you feel that any agency of government...this is the seat of gover-

1. nment, that they should maintain an office here. This is the  
2. seat of government, Springfield is where, and we feel that an  
3. office should be maintained. The Governor in his veto says that  
4. it's not necessary to have one here and its cost would be exces-  
5. sive, but I still maintain for the people who are so far removed...  
6. you got to remember that people in the sub...tip end of the State,  
7. down where Senator Johns'district...that they are over four hundred  
8. and fifty miles or so away from the office, maybe more. I don't  
9. know what it is, somewhere in that...so, therefore, that I would  
10. ask at this time that you would support the vote to override the  
11. Governor on this House Bill 296. I ask your most favorable support  
12. of this legislation.

13. PRESIDENT:

14. Is there any further discussion? Senator Davidson.

15. SENATOR DAVIDSON:

16. Mr. President and members of the Senate, I rise in support  
17. of the override on this item. There used to be an office for this  
18. department here in Springfield. It was removed several years ago.  
19. People who have to deal with that facility, group, now have to  
20. travel to Chicago. It would make an unnecessary burden on them  
21. that shouldn't be done and I think Senator Hall expressed it that  
22. this is the seat of Capitol of government. This is the place that  
23. they should also have an office. I urge a Yes vote.

24. PRESIDENT:

25. Any further discussion? Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you. I rise in support of this, Mr. President, members  
28. of the Senate, of this override attempt. I've had an experience of  
29. trying to set an appointment to talk with the Director of this  
30. particular authority for some six weeks now and he's always in  
31. Chicago and never has time to come to Springfield whenever I'm  
32. going to be in Chicago. He's very gracious...whenever I'm going  
33. to be in Springfield. He has very graciously invited me to come to

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1. Chicago to talk to him, but I don't find that convenient and I  
2. think it would be more convenient if he had an office here in  
3. Springfield, and I think we ought to override this...this veto.

4. PRESIDENT:

5. Any further discussion? Senator Netsch.

6. SENATOR NETSCH:

7. Thank you. I just thought I would add one comment. I can't  
8. tell any longer whether the seat of power is in Chicago or on the  
9. second floor in Springfield.

10. PRESIDENT:

11. Any further discussion, meritorious or otherwise. Senator  
12. Hall, you wish to close?

13. SENATOR HALL:

14. Just ask for your most favorable support.

15. PRESIDENT:

16. All right. The question is shall Senate Bill 296 pass, the  
17. veto of the Governor to the contrary notwithstanding. Those in  
18. favor will vote Aye. Those opposed will vote Nay. The voting is  
19. open. Have all voted who wish? Have all voted who wish? Have  
20. all voted who wish? Take the record. On that question the Ayes  
21. are 33. The Nays are 18. None Voting Present. Senator Hall moves  
22. that further consideration of this motion be postponed. So ordered.  
23. 307, Senator Bloom. On the Order of Total Vetoes, the middle of  
24. page 3, there is a motion filed with respect to Senate Bill 307.  
25. Read the motion, Mr. Secretary.

26. SECRETARY:

27. I move that Senate Bill 307 Do Pass, the veto of the Governor  
28. to the contrary notwithstanding. Signed Senator Bloom.

29. PRESIDENT:

30. Senator Bloom.

31. SENATOR BLOOM:

32. Thank you, Mr. President, fellow Senators. This bill is a  
33. matter of some import to the Legislative Branch. As you know, it



1. shifted the burden of proof to the bureaucracy where the Joint  
2. Committee on Administrative Rules had filed objections because  
3. the agency rulemaking was improper to the agency to prove that  
4. they were acting in a manner that was not arbitrary, capricious,  
5. or unreasonable. The Governor's Veto Message contains many errors  
6. of fact. This is a moderate approach. It was unanimously decided  
7. that instead of providing for a Legislative Veto, a burden of proof  
8. would just be shifted. It passed overwhelmingly with no negative  
9. votes. I'd seek your favorable support and respond to any  
10. questions that you may have.

11. PRESIDENT:

12. Is there any discussion? Senator Berman.

13. SENATOR BERMAN:

14. I rise in support of the motion. I think that this is  
15. certainly not a partisan issue. I think it is a question of the  
16. prerogatives and mandates of each of the branches of government.  
17. If we are going to have any impact upon the arbitrary or capricious  
18. nature of Executive Departments, it's this kind of a bill that  
19. should be passed so that the Committee on Administrative Rules and  
20. the Legislature does have some leverage on the activities of the  
21. Executive Branch and I would urge an Aye vote.

22. PRESIDENT:

23. Any further discussion? Senator Bloom, you wish to close?

24. SENATOR BLOOM:

25. No.

26. PRESIDENT:

27. Question is shall Senate Bill 307 pass, the veto of the  
28. Governor to the contrary notwithstanding. 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.  
31. On that question the Ayes are 55. The Nays are none. None Voting  
32. Present. Senate Bill 307, having received the required three-fifths  
33. vote is declared passed, the veto of the Governor to the contrary

1. notwithstanding. Okay. Senator Daley on 310. On the Order of  
2. Total Vetoes, bottom of page 3, there's a motion filed with respect  
3. to Senate Bill 310. Read the motion, Mr. Secretary.

4. SECRETARY:

5. I move that Senate Bill 310 Do Pass, the veto of the Governor  
6. to the contrary notwithstanding. Signed, Senator Daley.

7. PRESIDENT:

8. Senator Daley.

9. SENATOR DALEY:

10. Mr. President and fellow Senators, this provides the Illinois  
11. Facilities Authority...Commission to apply bonding authority to  
12. private institutions, nursing homes in the State of Illinois. The  
13. Commission, itself, appeared before the Committee which...they were  
14. in favor of this concept. They assured us that the bonding to the  
15. private homes would be in a...in a manner that they have always  
16. protected the bonding rates of the State of Illinois and they had  
17. a...worked out a system and I think it's greatly needed if we want  
18. to upgrade those private nursing homes which they are really located  
19. throughout the State of Illinois. It's greatly needed for the  
20. industry and especially the nursing home residents and besides that  
21. I think it's the...a good thing to do and I would ask for a favorable  
22. roll call.

23. PRESIDENT:

24. Any discussion? Senator Geo-Karis.

25. SENATOR GEO-KARIS:

26. Will the sponsor yield for a question?

27. PRESIDENT:

28. Indicates he will yield. Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. Is...is this the bill that would provide some help to the  
31. nursing homes relative to funding, for example, for personnel,  
32. to train personnel?

33. PRESIDENT:

Senator Daley.

1. SENATOR DALEY:

2. No, this is strictly for construction and remodeling whereby  
3. the Federal and State Government are requiring various restrictions  
4. on the nursing home. This is strictly bonding for new...facilities  
5. and repairing or remodeling older facilities.

6. PRESIDENT:

7. Senator Geo-Karis.

8. SENATOR GEO-KARIS:

9. Mr. President and Ladies and Gentlemen of the Senate. We cannot  
10. expect nursing homes to comply with Federal or State mandates when  
11. we pass them and have no provision for some help. If they are  
12. allowed to get some bonding, they could help meet the standards and  
13. I'm sure no bonding company and no...no one in finance is going to  
14. give bonds or allow it unless they feel that the nursing home in  
15. question has some credibility. I speak in favor of the override.

16. PRESIDENT:

17. Further discussion? Senator Philip.

18. SENATOR PHILIP:

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

20. PRESIDENT:

21. Indicates he will yield if Senator Netsch will stop bothering  
22. him. Senator Philip.

23. SENATOR PHILIP:

24. Senator Daley, would these bonds be...be applied to for-profit  
25. nursing homes and for non-for-profit nursing homes?

26. PRESIDENT:

27. Senator Daley.

28. SENATOR DALEY:

29. Yes, it would because in the law the difference is very slight.  
30. Non-for-profit...people get higher salaries, more expense accounts.  
31. Those are for-profit have filed under the Federal and State law.

32. PRESIDENT:

33. Senator Philip.

1. SENATOR PHILIP:

2. Well, you may think it's very slight, the difference between  
3. for-profit and non-for-profit, but I...I am a member of the Illinois  
4. Legislative Investigation Commission. Here about three years ago,  
5. we did a study on nursing homes in Lake County. I went up to  
6. Waukegan and sat in on those hearings and ninety-nine percent of  
7. the time when it was a for-profit nursing home, the care was not  
8. up to standards. The things that went on in...on those for-profit  
9. nursing homes, Senator, were unbelievable. There were seventeen  
10. people who dehydrated and died in Lake County and when we would  
11. look at the for non-for-profit nursing homes, whether they were  
12. run by the county or by a religious organization, it was exactly  
13. the complete reverse. Anything to help these so-called non-for-  
14. profit nursing homes, I really have great question and if I had a  
15. ...a grandfather or grandmother or a mother and a father, I will  
16. tell you the last place that I would put them would be in a for-  
17. profit nursing home, the last place I would put them.

18. PRESIDENT:

19. Further discussion? Senator Wooten.

20. SENATOR WOOTEN:

21. Thank you, Mr. President. I was one of five people who voted  
22. against this bill. It was the only one of the package to which  
23. I objected and it was because...the point that was brought out by  
24. Senator Philip. There is not a distinction between not-for-profit  
25. and for-profit and I...I think that is a pretty valid distinction  
26. that ought to be made. I regret that I cannot support Senator Daley  
27. in this effort, but my views really have not changed from the original  
28. vote and indeed...and I may remark parenthetically, I think we may  
29. find the time when it would behoove the State to get back into the  
30. business of taking care of these people because with all the  
31. criticisms we received, I believe we probably can do a better job  
32. than is being done in many private institutions.

33. PRESIDENT:

Further discussion? Senator Berning.

1. SENATOR BERNING:

2. Thank you, Mr. President. Because allusion has been made  
3. to a...an investigation in Lake County, I am compelled to reply  
4. at least in part. I want the members of the Senate to know that  
5. while I, personally, was distressed by some deaths which occurred,  
6. I must point out to the members that part, at least, of the reason  
7. for these unfortunate deaths was the fact that the State of Illinois  
8. dumped, if you will, a great number of unfortunate individuals on  
9. some of these nursing homes and then did not provide any kind of  
10. additional funding so that personnel could be hired to care for  
11. them. In other words, our State policies in regard to the funding  
12. of the institutions caring for these unfortunate people has not  
13. provided enough dollars for the hiring and maintaining of adequate  
14. personnel. Now, you can criticize the nursing homes and I don't defend  
15. them in toto, but I think it is important to recognize that when we  
16. mandate certain things and do not provide the dollars to cover the  
17. costs, we, Ladies and Gentlemen, and all of the State administration,  
18. really bear the responsibility for such unfortunate things as occurred  
19. in at least one nursing home in Lake County, but that ought not to  
20. be a criteria for the consideration of the needs of all nursing  
21. homes, be they profit or not-for-profit. If we mandate improvements,  
22. we very well have to assume the responsibility for helping to cover  
23. the costs, since we do not cover the costs of maintaining the pa-  
24. tients, at least to the degree which is required by the regulations  
25. that our own departments impose on these institutions and I'd like  
26. to have you understand that on one day, one department, be it Public  
27. Aid or Public Health, will issue one set of regulations and the  
28. next day the next department comes along and countermands those and  
29. imposes new requirements, all with no regard as to how the nursing  
30. home is going to comply and cover the costs created by these con-  
31. flicting requirements. The whole question of the operation of  
32. nursing homes of all kinds needs to be addressed realistically and  
33. the first responsibility is for adequate coverage of the per diem

1. cost per patient and that we are not doing.

2. PRESIDENT:

3. Any further discussion? Senator Daley may close the debate.

4. SENATOR DALEY:

5. ...Mr. President and fellow Senators, first of all, I'd like  
6. to inform Senator Philip that we passed the Nursing Home Reform  
7. Bill which affects every...whether for-profit or non-for-profit  
8. homes and I saluted the Illinois...I guess it's the Legislative  
9. Investigating Commission for finding out where there have been  
10. problems in Lake County and I think in every county, not particularly  
11. Lake County, in various homes whether for-profit or non-for-profit.  
12. We, the government, have created this industry. I think we should  
13. give them some relief. They can't get bonding authority. Let's  
14. do it through the Illinois Health Authority Act which the members  
15. agree. I ask for a favorable roll call.

16. PRESIDENT:

17. The question is shall Senate Bill 310 pass, the veto of the  
18. Governor to the contrary notwithstanding. Those in favor will vote  
19. Aye. Those opposed will vote Nay. The voting is open. Have all  
20. voted who wish? Have all voted who wish? Have all voted who wish?  
21. Take the record. On that question the Ayes are 38. The Nays are  
22. 10. 4 Voting Present. Senate Bill 310, having received the required  
23. three-fifths vote is declared passed, the veto of the Governor to  
24. the contrary notwithstanding. Senator Rhoads, for what purpose do  
25. you arise?

26. SENATOR RHOADS:

27. Request a verification of the affirmative vote.

28. PRESIDENT:

29. All right. Senator Rhoads has requested a verification. Will  
30. all the Senators please be in their seats. The Secretary will read  
31. the affirmative votes.

32. SECRETARY:

33. The following voted in the affirmative: Becker, Berman, Berning,

1. Bloom, Bruce, Buzbee, Chew, Collins, D'Arco, Daley, Demuzio, Donne-  
2. wald, Egan, Geo-Karis, Hall, Johns, Jeremiah Joyce, Jerome Joyce,  
3. Keats, Knuppel, Lemke, Maitland, Martin, McLendon, Merlo, Moore,  
4. Nash, Nedza, Nega, Newhouse, Ozinga, Regner, Rupp, Sangmeister,  
5. Savickas, Schaffer, Vadalabene, Mr. President.

6. PRESIDENT:

7. Senator Rhoads.

8. SENATOR RHOADS:

9. Senator Knuppel.

10. PRESIDENT:

11. Senator Knuppel is right behind the podium.

12. SENATOR RHOADS:

13. Senator Newhouse.

14. PRESIDENT:

15. Senator Newhouse is on the Floor. All right. The roll has  
16. been verified. The Ayes are 38. The Nays are 10 and Senate Bill  
17. 310, having received the required three-fifths vote is declared  
18. passed, the veto of the Governor to the contrary notwithstanding.  
19. 446, Senator Netsch. On the Order of Total Vetoes, the middle of  
20. page 4, is Senate Bill 446. Read the motion, Mr. Secretary.

21. SECRETARY:

22. I move that Senate Bill 446 Do Pass, the veto of the Governor  
23. to the contrary notwithstanding. Signed, Senator Netsch.

24. PRESIDENT:

25. Senator Netsch.

26. SENATOR NETSCH:

27. Thank you, Mr. President. The bill as originally introduced  
28. had to do with the expungement of records and certain other protections  
29. with respect to juvenile records. At the request of the members of  
30. the Judiciary I Committee of the Senate, it was substantially  
31. revised so that in its form as it passed the Senate and ultimately  
32. the House, it does nothing except give to juveniles exactly the same  
33. rights that adults already have to expunge records when they have

1. not been adjudicated and in the case of adults, of course, it's  
2. an adjudication of a crime. In the case of juveniles, it's an  
3. adjudication of delinquency. So, we are not talking about people  
4. who have been adjudicated and it is an almost exact tracking of  
5. the right that is already available to adults. In that form,  
6. which was recommended by the Committee on Judiciary I, it did pass  
7. both Houses. The Governor vetoed it for reasons which I...have a  
8. little bit of difficulty understanding because they were certainly  
9. never raised at any time during the course of the proceedings. He  
10. seems to be saying that although the idea is a very good one, it  
11. would somehow persuade police not to engage in the practice of  
12. station adjudication...I'm sorry, station adjustments which is  
13. something which is done frequently throughout the State. I can't,  
14. for the life of me, understand why that is so. The...again, I  
15. would emphasize that all we have done here is to provide exactly  
16. the same right for juveniles that adults already have and the  
17. Governor's Message which seems to suggest that the police will just  
18. simply not keep records if the bill is passed, doesn't make any  
19. sense either because we don't need an expungement procedure if  
20. there are no records that are going to be kept in the first place.  
21. So, I...it's a somewhat convoluted approach that we have not been  
22. able to figure out and I think it...all it does is simply track  
23. the adult right and makes sense in the form in which it was passed  
24. by the Senate and I would seek your support for an override of the  
25. veto.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there further discussion? Senator Moore.

28. SENATOR MOORE:

29. Thank you, Mr. President and members of the Senate. Senator  
30. Netsch has described the work that was done on this bill in  
31. committee. As introduced, it was a very bad bill and she did  
32. follow the suggestions and recommendations of the committee to clean  
33. it up. It is a good bill. It is workable. There are safeguards



in it an I would urge a favorable vote on the override of Senate  
1. Bill 446.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Further discussion? Senator Grotberg.

4. SENATOR GROTBORG:

5. Only to add to the positive influence of Senator Netsch, as  
6. a co-sponsor of this bill and a member of the Commission on Children.  
7. We have brought some very ify stuff before this Body. Some of it  
8. was good. The Governor vetoed it with some questions about process.  
9. I think his fears are unjustified and let's do this one to make it  
10. possible for children to expunge their records in an...orderly  
11. fashion, similar to the adult situation. I would ask for a favorable  
12. roll call.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Bowers.

15. SENATOR BOWERS:

16. Sponsor yield to a question?

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. She indicates she will.

19. SENATOR BOWERS:

20. If I understand the Governor's reasoning and the distinction  
21. he draws between juveniles and adults is adults are generally tried,  
22. but in may cases juveniles have station adjustment and are then  
23. released and so, if they come in a second time for station adjustment,  
24. there is no way of knowing that they have already had two or three,  
25. so it does seem to me to be considerably different than the adult  
26. situation and I think he makes a pretty good point and I'd like for  
27. you to address it.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Netsch.

30. SENATOR NETSCH:

31. Well, it seems to me that the...one of the several weaknesses  
32. or fallacies in that point is that for the most part, the police are

33.

1. not going to make a station house adjustment if the offense is  
2. fairly serious and/or and probably both, if they also have pretty  
3. good evidence to support their case or putting it the other way  
4. around, where their case is weak or where the offense is not of  
5. enormously serious nature are the times when they are going to  
6. make station house adjustment and I don't think that they are going  
7. to be deterred from doing that. His point was that this will put  
8. an end to the practice of station house adjustment and it seems to  
9. me that that logically does not follow because station house  
10. adjustment recognizes that there are loads of problems for which  
11. juveniles are brought in and detained. It might be a curfew  
12. violation. It might be that they are with a gang of kids who might...  
13. some of who might get in trouble. There are a lot of things other  
14. than an offense created by the...the juvenile himself, and where  
15. those matters are true, then I don't think the police are going to  
16. be deterred from a station house adjustment simply because of this  
17. provision and I might add, incidentally, that they still have to go  
18. to court and petition the court for the... expungement. It is  
19. not an automatic procedure so that there is an...an extra effort  
20. involved and again, presumably, that effort is not going to be made  
21. unless the...the record is of the sort that ought to be expunged  
22. and it's not an automatic grant of the expungement either.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Bowers.

25. SENATOR BOWERS:

26. Well, it seems to me there is still the distinction, however,  
27. that in the criminal proceeding that you are talking about as far  
28. as adults are concerned, there's is a finding of not guilty. In  
29. many, many, many of the juvenile situations...and I totally disagree  
30. with you when you say there if it's...if it's serious or if...if...  
31. in a lot of cases they don't do it. My experience is they do it in  
32. an awful lot of cases and many more, perhaps, than they should, but  
33. if there is a series of station adjustments, then sooner or later,

1. they got to give up and say, "Hey, we got to take this kid to  
2. court," and if you expunge those records...and...and it's really  
3. not a finding of not guilty, you understand. It's...it's still  
4. an effort to...to help so that I think your comparison with...with  
5. adults is...is not...is not accurate. I think it's comparing  
6. apples and oranges and it seems to me that the point still is  
7. valid that in cases of station adjustment, the expungement of  
8. the record at least before he's twenty...before he reaches adult  
9. age might be a mistake.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Any further discussion? Senator Geo-Karis.

12. SENATOR GEO-KARIS:

13. Will the sponsor yield for a question?

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. She indicates she will.

16. SENATOR GEO-KARIS:

17. I understand that under your bill though...after the...  
18. the amendments to it that we had suggested to you in Judiciary II,  
19. the judge must give notice of intent to expunge the record to  
20. the prosecutor who has thirty days to object to expungement, is  
21. that right?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Netsch.

24. SENATOR NETSCH:

25. Yes, that is correct and the expungement is not automatic.  
26. It simply authorizes the judge to enter the expungement order after  
27. the notice has been given to the State's Attorney.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Geo-Karis.

30. SENATOR GEO-KARIS:

31. Mr. President and Ladies and Gentlemen of the Senate, I  
32. think we should give this bill a try because I do know of cases of  
33. youngsters who are innocent and brought in and their records are

1. marked up. I'm not in favor of allowing juveniles to run rampant.  
2. We've had that happen quite a bit lately, but I think it's only  
3. fair to give it a try and I'd like to concur in the override.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Any further discussion? Senator Netsch may close debate.

6. SENATOR NETSCH:

7. Thank you. I would just note that even the Governor in his  
8. Veto Message acknowledged that the purpose of the bill was noble.  
9. His only concern was that it might have exactly the opposite effect  
10. and I think that those who have reconsidered it in the light of  
11. the points raised have concluded that that simply is not the case,  
12. that it will, in fact, do what it is intended to do which is to  
13. give juveniles exactly the same rights that adults have. I  
14. would seek your support for an override.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Question is shall Senate Bill 446 pass, the veto of the  
17. Governor to the contrary notwithstanding. Those in favor vote ,  
18. Aye. Those opposed vote Nay. The voting is open. Have all voted  
19. who wish? Have all voted who wish? Have all voted who wish?  
20. Have all voted who wish? Take the record. On that question,  
21. the Ayes are 35. The Nays are 21. None Voting Present. Senator  
22. Netsch. Senator Netsch moves for postponed consideration. Senate  
23. Bill 420, Senator Bloom.

24. SECRETARY:

25. I move that Senate Bill 420 Do Pass, the veto of the Governor  
26. to the contrary notwithstanding. Signed, Senator Bloom.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Bloom.

29. SENATOR BLOOM:

30. Thank you, Mr. President. I originally wasn't going to file  
31. a motion, but Staff has pointed out the Governor vetoed this bill  
32. because he said House Bill 2380 did the same thing...these will be  
33. Federal rulemaking. It does not. Senate Bill 420 cleans up...yeah,

1. would you change the board, please...provides standards for  
2. rulemaking for the Department in the administration of Federal  
3. grants and that is not present in House Bill 2380, therefore,  
4. I would ask for an override.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? If not, the question is shall  
7. Senate Bill 420 pass, the veto of the Governor to the contrary  
8. notwithstanding. Those in favor vote Aye. Those opposed vote  
9. Nay. The voting is open. Have all voted who wish? Have all  
10. voted who wish? Take the record. On that question the Ayes are  
11. 50. The Nays are none. None Voting Present. Senate Bill 420,  
12. having received the required three-fifths vote is declared passed,  
13. the veto of the Governor to the contrary notwithstanding. Senate  
14. Bill 459, Senator Coffey.

15. SECRETARY:

16. I move that Senate Bill 459 Do Pass, the veto of the  
17. Governor to the contrary notwithstanding. Signed, Senator Coffey.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Coffey.

20. SENATOR COFFEY:

21. Mr. President and members of the Senate, On Senate Bill 459 I  
22. filed a motion because I feel that the Governor was ill-advised  
23. by the Commerce Commission on this proposal. Contrary to the Veto  
24. Message, the intent of Senate Bill 459 was to implement the consider-  
25. ations and decisions of the Illinois Commerce Commission's Advisory  
26. Committee and Senate Bill 459 contains some of the findings of that  
27. committee and would put the Illinois Statutes in compliance with  
28. Public Law 89-170. To answer some of those questions or some of  
29. those responses from the Governor's Office, first of all, one of  
30. the reasons for the veto is that they felt...the Commerce Commission  
31. felt there would be a revenue loss of some four hundred thousand  
32. dollars. Well, according to our staff, the...or the Motor Vehicle  
33. Laws Commission, myself and others, we don't feel there will be a

1. loss. In fact, in Section 12 of Senate Bill 459, it specifically  
2. states that the legislative intent of this bill that the fees  
3. prescribed therein shall not diminish the revenues to Illinois'  
4. Commerce Commission, but if they do, the General Assembly shall,  
5. subsequently, adjust them accordingly. Both industry and labor  
6. have pledged their support for such legislation if it is determined  
7. that that is necessary. Secondly, the Commerce Commission's Motor  
8. Carrier Fund currently reflects a balance of some three hundred...  
9. or some three million dollars which would more than take care of...  
10. if there would happen to be a loss for the first year before it  
11. could be corrected. Another question that was...that the Governor's  
12. Office made mention of was the fact that...that we were going to  
13. transport the...the costs from the...interstate to the intrastate  
14. and that is not true and...matter of fact, in the bill, the intra-  
15. state...the interstate operators will now be paying a per stamp fee  
16. which they, in the past, received free. Number three, the last  
17. item of importance in this Veto Message, is also an error. Inter-  
18. state carriers are not currently required to carry a copy of  
19. their interstate registration in the cab of each vehicle. They have  
20. not been required to do so since July 13, 1976, when the Attorney  
21. General's opinion was issued on this subject and I would ask for  
22. your favorable vote to override the Governor's veto on Senate Bill  
23. 459.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? Senator Hall. The little guy.

26. SENATOR HALL:

27. This wasn't on that. I just wanted to explain something. I'll  
28. wait till he gets through with this.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Vadalabene.

31. SENATOR VADALABENE:

32. Yes, this is a product of the Motor Vehicle Laws Commission  
33. of which I am Chairman. I would...Senator Coffey has explained

1. it thoroughly and I would support his motion to override.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Chew.

4. SENATOR CHEW:

5. Just to echo Senator Coffey's remarks and Vadalabene...Senator's  
6. rather, it is important that we do override this bill. The industry  
7. is certainly happy with the bill itself. As Senator Coffey did  
8. speak to us concerning the revenue loss, which there will be no  
9. revenue loss. Commerce Commission does have three million dollars.  
10. The General Assembly will be able adjust, subsequently, if, in the  
11. event that is deleted or completed and I would ask for a favorable  
12. roll call also.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there further discussion? Senator Coffey may close debate.

15. SENATOR COFFEY:

16. I would just ask for a favorable roll call.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. The question is shall Senate Bill 459 pass, the veto of the  
19. Governor to the contrary notwithstanding. Those in favor vote  
20. Aye. Those opposed vote Nay. The voting is open. Have all  
21. those voted who wish? Have all voted who wish? Take the record.  
22. On that question the Ayes are 42. The Nays are 1. 3 Voting Present.  
23. Senate Bill 459, having received the required three-fifths vote  
24. is declared passed, the veto of the Governor to the contrary not-  
25. withstanding. For what purpose Senator Hall arise?

26. SENATOR HALL:

27. I would just like the record to show that I was off the Floor  
28. when Senate Bill 420 was voted on. If I had been present, I would  
29. have voted in favor of the bill.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. The record will so indicate. Senate Bill 468, Senator Daley.

32. ACTING SECRETARY: (MR. FERNANDES)

33. Senate Bill 468. I move that Senate Bill 468 Do Pass, the  
veto of the Governor to the contrary notwithstanding. Signed, Senator  
Daley.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Daley.

3. SENATOR DALEY:

4. Mr. President and fellow Senators, this bill, in the past, has  
5. been vetoed by the same Governor. We made a...a different pro-  
6. posal this time which we thought would be acceptable. We allow  
7. the taxpayer the option whether or not he should be informed...  
8. he or she be informed or a corporation, if the Internal Revenue  
9. Service, if the FBI, the CIA, the IBI, the State Police, the  
10. Department of Revenue, counties and cities and governmental  
11. agencies are looking at your Income Tax return and what we did  
12. is we put a...in your Income Tax statement whether or not you  
13. want to be informed...you just check it off and you pay the reason-  
14. able cost, if it's a dollar and it's a...it's a good bill. It's  
15. protection of, supposedly, the confidentiality of the Income Tax  
16. records which we know they are not. The IRS did not testify  
17. against it and they have not written any opinion against it and  
18. I would ask for a favorable roll call.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Any further discussion? Senator McMillan.

21. SENATOR MCMILLAN:

22. Mr. President and members of the Senate, while I...I fully  
23. understand the intent of the legislation, it also does a couple  
24. of other things. The problem is not a problem for IRS. The problem  
25. is that in addition to the...to the desirable things that the bill  
26. may do, it also, it seems to me, very clearly provides a situation  
27. in which the State of Illinois' agreement with IRS would be  
28. violated, therefore, the State of Illinois would find itself in a  
29. situation where it would not, therefore, have access to IRS records  
30. which make it possible for the State of Illinois to enforce the...  
31. the State Income Tax. I think that is the basis of the problem  
32. and for that reason, I think it important that we vote to sustain  
33. the Governor's Veto.



1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, Senator Daley may  
3. close debate.

4. SENATOR DALEY:

5. Yes, in response to Senator McMillan's point, we have reviewed  
6. the agreement with the IRS and the State of Illinois and nowhere  
7. in the agreement is there language where there will be a termination  
8. of the agreement. What we do is we allow the taxpayer only to say  
9. and to pay for that...maybe the CIA or your FBI or everybody else who  
10. is looking at your Income Tax return...there's nothing wrong with  
11. it and...and with the agreement...and we...fully reviewed the  
12. agreement, there's nothing there that would say that they would  
13. cancel out and this is a simple and easy bill.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. The question is shall Senate Bill 468 pass, the veto of  
16. the Governor to the contrary notwithstanding. Those in favor vote  
17. Aye. Those opposed vote Nay. The voting is open. Have all voted  
18. who wish? Have all voted who wish? Take the record. On that  
19. question the yeas are 44. The Nays are 9. None Voting Present.  
20. Senate Bill 468, having received the required three-fifths vote is  
21. declared passed, the veto of the Governor to the contrary not-  
22. withstanding. Senate Bill 492, Senator Joyce.

23. ACTING SECRETARY: (MR. FERNANDES)

24. Senate Bill 492. I move that Senate Bill 492 Do Pass, the  
25. veto of the Governor to the contrary notwithstanding. Signed,  
26. Senator...

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Senator Joyce.

29. SENATOR JEROME JOYCE:

30. Thank you, Mr. President. I'm handling this for Senator  
31. Maragos. This bill, since we passed the Nursing Home Reform Bill,  
32. it would invest county boards with rulemaking authority concerning  
33. the admission and discharging of patients to county nursing homes.

1. It goes further than Senate Bill 170, which the Governor used in  
2. his reasoning for vetoing this in that it allows the rates  
3. charged to people...no, let's see, it...it authorizes counties  
4. to make rules concerning admissions to county homes and recover  
5. payments from other local governmental units for care of their  
6. residents. It passed here 51 to nothing the first time.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Is there further discussion? If not, the question is shall  
9. Senate Bill 492 pass, the veto of the Governor to the contrary  
10. notwithstanding. Those in favor vote Aye. Those opposed vote  
11. Nay. The voting is open. Have all voted who wish? Have all  
12. voted who wish? Have all voted who wish? Once more. Take  
13. the record. On that question the Ayes are 36. The Nays are 17.  
14. None Voting Present. Senate Bill 492, having received the required  
15. three-fifths vote is declared passed, the veto of the Governor to  
16. the contrary notwithstanding. For what purpose does Senator  
17. Rhoads arise?

18. SENATOR RHOADS:

19. Just let's see if they are here. Affirmative vote.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Clerk will call the roll. Mr. Secretary...of the affirmative votes.

22. ACTING SECRETARY: (MR. FERNANDES)

23. The following voted in the affirmative: Berman, Bowers, Bruce,  
24. Carroll, Chew, Collins, D'Arco, Daley, Demuzio, Donnewald, Egan, Gitz,  
25. Grotberg, Hall, Johns, Jeremiah Joyce, Jerome Joyce, Knuppel, Lemke,  
26. Maitland, Martin, McLendon, Merlo, Moore, Nash, Nedza, Nega, Netsch,  
27. Rupp, Sangmeister, Savickas, Vadalabene, Washington, Weaver, Wooten,  
28. Mr. President.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there any question of the affirmative? If there's no  
31. question...Senate Bill 659, Senator Demuzio...clear the...would you  
32. clear the...

33. ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...I move that Senate Bill 659 Do Pass, the veto of

1. the Governor to the contrary notwithstanding. Signed, Senator
2. Demuzio.
3. PRESIDING OFFICER: (SENATOR SAVICKAS)
4. Senator Demuzio.
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6. (End of Reel)
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1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Demuzio.

3. SENATOR DEMUZIO:

4. Thank you, Mr. President, and Ladies and Gentlemen of  
5. the Senate. Senate Bill 659, is the Hazardous Waste Bill,  
6. that was vetoed by Governor Thompson, who signed into law  
7. the less stringent bill of House Bill 453. Senate Bill 659,  
8. has had the editorial support of practically every major  
9. newspaper in Illinois, the...the Chicago Tribune, the Sun  
10. Times, again at News Service, the Lindsey Schwaab Chain, and  
11. it is a product of both the Attorney General's Office, the  
12. Illinois Environmental Council, the citizens of my district,  
13. and myself. The...this bill, is a bill that I've been  
14. working on I guess now for three years, and I guess if it  
15. means more to me I guess than any other thing I've had up  
16. here, and certainly I would like to get enough votes to  
17. override the Governor's veto, because I think that we, in  
18. Illinois, can establish the lead in this Nation and set...  
19. set the example not only to this...the other states in  
20. the Nation, but also to the Congress and the President, that  
21. we're seriously concerned about the impact of hazardous and  
22. toxic materials in...in this country. Illinois, as you well  
23. know, is ranked among the ten worst...worst states in the  
24. ...in the country. In the regulation of hazardous materials,  
25. and I believe that we have the once in a lifetime opportunity that  
26. ...that we have to override the Governor's veto and to  
27. say to him that he has described this bill as too much too  
28. soon, and I feel if we do not take the action it will  
29. be too little too late, and therefore, I ask for your favorable  
30. support to override the Governor's veto on this bill.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? Senator McMillan.

33. SENATOR MCMILLAN:

1. Mr. President, and members of the Senate. The bill  
2. does include a large number of provisions that are sound  
3. and wise and needed. But those same provisions were included  
4. in the bill that was signed by the Governor. There are  
5. some provisions in this bill which make it nearly impossible  
6. to provide a means through which such wastes can be disposed  
7. of. I, for one, think we should be as careful as we absolutely  
8. can about disposing of...as we go about disposing of such  
9. waste, but there comes a time when the regulations become  
10. more stringent than the technology for testing them, and  
11. from the things that were included in the bill, that was  
12. passed, I think we've come a long way toward providing reasonable  
13. and safe...and the kind of provisions that are necessary  
14. for us to say to the public that we're doing the best possible  
15. job for providing reasonable means for such waste disposal.  
16. I merely fear that by including the provisions that are  
17. in Senate Bill 659, we set up a situation in which there  
18. would be absolutely no means through which we could handle  
19. and dispose of such waste. I think it goes just a little  
20. farther than is reasonable for us to go at this time.  
21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Wooten.  
23. SENATOR WOOTEN:

24. Thank you, Mr. President. Ladies and Gentlemen of the  
25. Senate, I have talked on this subject since I have been in  
26. this Chamber, and I have been disturbed with the...with the  
27. continued problems that we're having in waste disposal. Senator  
28. Joyce and I went to a seminar within the last month, at which  
29. the NRC had to admit that there was no answer to the problem  
30. of nuclear waste disposal, and that was of little comfort to  
31. us since we have that problem to a degree that other states  
32. don't have. Along with that comes the information that the  
33. storage of hazardous and toxic products is our one...number one

1. health and environmental problem in the country. Now, we have  
2. had people telling us it's too much too soon for many years,  
3. and I tell you, if you would just take the time to read the  
4. papers that are published in Science magazines...Scientific  
5. American, both of the atomic scientists, read the papers that  
6. are coming out on the problems that are piling up along with  
7. the waste in every state in the union, and the problems is  
8. acute here in Illinois. It's the sort of thing I believe we  
9. too often put aside as being something that's perhaps cheap  
10. and sensational and appeals to headline hunters, but I tell  
11. you it is a grim situation, and this State is in real  
12. difficulty. The restrictions in this bill are not extreme,  
13. they should be tougher, and I'll tell you we're going to  
14. be paying the price before too many more years if we don't  
15. take tough steps to protect ourselves. This bill is eminently  
16. reasonable, and I urge you to override the veto.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. All right, Senator Nimrod.

19. SENATOR NIMROD:

20. Thank...thank you, Mr. President. I would call attention  
21. to the fact that this subject addresses itself not only to  
22. those toxic materials but to the nuclear problem, and it seems  
23. to me that...that the problems that we see existing here is  
24. that most people who associate the toxic and chemical materials  
25. automatically think of the nuclear question, even though this  
26. does not specifically arrange for that, I think that what we're  
27. doing is causing the same kind of restrictive actions on those  
28. who generate these wastes and find that within the Governor's  
29. Message we find that there is the EPA requirements here that  
30. are going to be so restrictive that, first of all, they are going to  
31. be unable to survey and examine them, and control them, and  
32. secondly in what we're doing, in fact, is totally discouraging  
33. any kind of incentives to cure this problem on the...within the private

1. sector. It seems to me that we have taken the proper steps  
2. and I would urge us to agree with the Governor, that he has  
3. signed one bill in this area already. We ought to see how  
4. that's working, and see whether or not additional legislation  
5. is concerned and needed. You know, the more we...the more that..  
6. legislation, and the more laws we pass, all we do is to confine  
7. and when we confine we certainly eliminate any initiative  
8. or any hope of any...having anything but government regulations,  
9. and in this area let's not be misinformed and be scared to  
10. think that this pertains to the nuclear question, that is  
11. two separate problems, but certainly the effects of either  
12. one are the same. We presently have no alternatives, and  
13. I think we cannot restrict or inhibit those private generators  
14. of this nuclear waste who are presently, in fact, providing  
15. safe environment, and I would hope that as we develop new  
16. problems we can pass new legislation.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Channel 23, from Peoria, wishes to take some photographs.  
19. Is leave granted? Leave is granted. Senator Grotberg.

20. SENATOR GROTEBERG:

21. Well, thank you, Mr. President. I have a parliamentary  
22. inquiry.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. I'm sorry Senator what?

25. SENATOR GROTEBERG:

26. I have a point of order, a parliamentary inquiry.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. State your point.

29. SENATOR GROTEBERG:

30. If, Senator Demuzio's motion were to prevail, which law  
31. is the Governor obligated to do, the one he signed and is already  
32. enacted? I...I just don't know, maybe our wise man who knoweth  
33. all can respond, oh wise one.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. I would imagine the last law that was signed and the  
3. last law that went into effect. Senator Michler...Senator  
4. Grotberg.

5. SENATOR GROTBORG:

6. I didn't ask for your imagination, Mr. President.  
7. I asked which of these two laws...would be the effective law,  
8. the one that is already signed and is law or this one that  
9. tailends it?

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. Well, I would imagine that the best way to direct this  
12. question would be to the Attorney General for his opinion. Now,  
13. you may speak, Senator Grotberg. For what...

14. SENATOR GROTBORG:

15. Well...

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Just a moment. For what purpose does Senator Shapiro  
18. airse?

19. SENATOR SHAPIRO:

20. Well, I don't know whether it's statutory or not, but  
21. the last one passed and certified is the one that becomes the  
22. law.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Grotberg.

25. SENATOR GROTBORG:

26. Well, then to the bill, because thanks to Seantor Demuzio  
27. I understand a whole lot more than I know about hazardous  
28. waste, and we sat hours, and hours, and hours working on this  
29. bill. The one that's signed and is law now, seems to be a  
30. more agreeable concept to many of the segments involved in it,  
31. but I would hasten to say that there are some new technologies  
32. coming on board, and they're coming on board in Illinois that may  
33. make a lot of the aspects of both of...this bill and the not



1. too distant, future almost moot, and I'm speaking of a  
2. stabilization process of everything except nuclear and  
3. PCB hazardous waste and such a plant is being explored  
4. in my district from England, a ten million dollar disposal  
5. of hazardous waste materials, and I...because I helped  
6. Senator Demuzio on this bill, it was mutual, I do plan  
7. on again ruining my record of one hundred percent with  
8. the Illinois Manufacturer's Association, and support you  
9. Senator Demuzio, but there are many questions about which  
10. one is going to be first and which one is going to become  
11. law, and I haven't heard the answer to that question.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Mitchler.

14. SENATOR MITCHLER:

15. Thank you, Mr. President, and members of the Senate.  
16. The question of disposal of hazardous waste material is one  
17. that is going to be with us for a rather long period of  
18. time, because we're generating more and more hazardous waste  
19. through new technology in different areas. I just recall  
20. that Governor Dixie Lee Ray out in the State of Washington,  
21. through her order shut down the nuclear waste disposal unit  
22. there at Hanford, the Federal facility, and is working with  
23. the Nuclear Regulatory Commission to find safer ways for the  
24. storage of that, and also in other areas of hazardous waste that  
25. we have, non-nuclear and nuclear...

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator, just a moment, Senator Mitchler. For what purpose  
28. does Senator Demuzio arise?

29. SENATOR DEMUZIO:

30. Yes, pardon me for interrupting you, Senator Mitchler.  
31. The Carlinville Band was sitting in the gallery here, they  
32. played for us today, I thought they ought to be recognized.  
33. I apologize for...

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. All right, if they would stand and be recognized, I'm sure  
3. it would be appreciated. Senator Mitchler.

4. SENATOR MITCHLER:

5. Senator Demuzio, you're to be complimented on that fine  
6. band up there, they did a good job down there in the rotunda.  
7. I used to play trumpet in the high school band myself, so I'm  
8. all for them. Right on. Getting back to this bill, the disposal  
9. of this hazardous waste. It's going to be with us, and I  
10. don't think we are all experts or non-experts. We try to do  
11. our best for the people to construct some laws to dispose of  
12. this material. Much thought went into the two bills that  
13. were on the Governor's Desk, the Governor did sign one. If  
14. this bill were to become law, because of the override of the  
15. Governor's Veto, this would be the effective bill, and  
16. negate any of the other bill. I think we should move cautiously.  
17. I think that we can accept the other bill which is, in many  
18. instances, termed to be less stringent, less effective and  
19. we'll be back here next year, and I'm confident that we'll  
20. have other bills before us in the area of hazardous...waste  
21. disposal, hopefully we'll be more knowledgeable. Our Illinois  
22. Commission on Atomic Energy, our Illinois Energy Resource  
23. Commission are all working on this, we're making great progress.  
24. Of course, it's being delayed by the Nuclear Regulatory Commission  
25. in the areas of disposal of nuclear waste, but I think that at  
26. this point in time rather than move hastily, I think that the support  
27. of the Governor's Veto on this bill would be proper. It wouldn't  
28. be anything degrading to your interest in this important area,  
29. and I think that we did pass one bill that's been approved by  
30. the Governor. We can take a good look at it when we come  
31. back into Session next year, and move at that time. So, I'd  
32. ask support of the Governor's Veto on this.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. Senator Gitz.

2. SENATOR GITZ:

3. Mr. President, my remarks by and large are addressed to  
4. the fact that some of my colleagues on the other side of the  
5. aisle have talked about...we got to be very careful and not  
6. to restrict or inhibit private providers, and we've got to  
7. move so cautiously. I wish Senator Nimrod and Senator Mitchler  
8. and others could have joined me before, an all Republican, I  
9. want to repeat, and all Republican county board in Ogle County.  
10. As they detailed the horrors that they have gone through with  
11. the chemical waste dump which is situated right south of  
12. Byron, in which they have virtually no control under the present  
13. State law, in which their County Health Officer is not even  
14. sure what kind of materials are being dumped there. Each and  
15. every day including right now, there're trucks coming in from  
16. Minnesota depositing highly toxic waste on what was originally  
17. farm land with very little provisions, they will not release  
18. the records, they will not say what it's in, and these are the  
19. same materials that the State of Minnesota doesn't want. They  
20. don't want them up there, but they want to send them down to  
21. Byron in Illinois in the 35th district. I think we've got a  
22. very, very large problem here, and one which cuts beyond  
23. ideologies, one which cuts across party lines. These are very  
24. conservative Gentlemen on that county board, and they want some-  
25. thing done about it, and they want a role in this, and one  
26. of the things that is in Senator Demuzio's bill, which is  
27. very, very important, is some local assenteness. This is not  
28. a haphazard bill, it is a bill that has been a product of  
29. years of work. It's a bill which in my opinion, doesn't go  
30. far enough.. The only thing worse than not going cautiously  
31. in this bill, is to let this problem continue and multiply,  
32. and to try to obfuscate it and say that it deals with  
33. nuclear materials which it does not. To confuse the issue

1. why it is our citizens and our land which is going to  
2. suffer. Illinois has a long ways to go to get out of the  
3. rut of being a waste dump of the nation, and I think that  
4. Senator Demuzio's bill is a reasonable approach and one  
5. which we, for God's sake, should have done before this.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Sangmeister. Senator Joyce.

8. SENATOR JEROME JOYCE:

9. Yes, thank you, Mr. President. My microphone doesn't...  
10. there it's working anyway. For Senator Mitchler and Senator  
11. Nimrod's enlightenment, they're talking about nuclear  
12. waste involved in this. This bill amends the EPA Act, it  
13. does not amend the Public Health Act. Public Health  
14. regulates nuclear, and EPA regulates the other hazardous  
15. waste, so, I think we are confussing the issues and I think  
16. that we have dealt with that enough that people ought to  
17. know what...you know which...which subjects we are talking  
18. about. I would urge the support of this bill. I think that  
19. Illinois is the nuclear...or the hazardous waste dumping.. ground  
20. of...of the United States, and it is a frightening thing. There  
21. are many, many, places where this can be stored and safely,  
22. and let people know what...what is in their back years. So,  
23. I would support this measure.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Senator Wooten.

26. SENATOR WOOTEN:

27. I apologize for introducing the NRC into this and triggered  
28. a pavlovian responce which truly was inappropriate. I simply wanted  
29. to point out again, I'm sorry to bore you a second time on  
30. this, but this is critically important. This bill addresses  
31. treatment and storage sites as well as disposal sites, the  
32. other bill does not. This bill give you a handle on existing  
33. sites, the other bill does not, and I'll tell you Gentlemen,

1. the problem is critical at existing sites, that's where  
2. the problem is. This bill addresses it, the other one  
3. doesn't.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Nimrod.

6. SENATOR NIMROD:

7. Thank you, Mr. President. I think that those of you  
8. that have not had a chance to look, I think that the major  
9. problems in the area of this bill have been covered in 453,  
10. and I would hope that Statutory authority for the EPA to  
11. assume the Hazardous Waste Program under the Federal Resources  
12. Conservation, Energy Recovery Act, is already covered in both  
13. bills. Increased authority for the Pollution Control Board to  
14. set standards is included in the bill. Restrictions on location  
15. of new disposal sites is included in the bill. Procedures for  
16. the public input to agency discussion, is included in the  
17. bill. Establishment of the fee system for the disposal of  
18. hazardous waste, and a process to be available for emergencies is in-  
19. cluded in the bill. So, no one is saying that we shouldn't be doing  
20. anything, and shouldn't be getting anything done. We had a...  
21. resolution that was adopted in the House, which calls for the  
22. Energy Resources Commission and the Institute of Natural Resources  
23. to study alternatives for hazard waste disposal, and in particular  
24. to investigate the possibility of these incentives. It seems  
25. to me that we're taking a big step forward to, in fact, go  
26. beyond what we should be doing here, it seems to me that we're  
27. accomplishing nothing, and, in fact, it's a deterrent to an  
28. already shrinking area of losing jobs, hindrance to economy,  
29. and telling the whole business community and those in the  
30. private sectors, we're not going to just go part of the way  
31. with you, we're just going to practically close you up and put  
32. you out of business. That's the wrong approach, and I think we  
33. ought to do it with the program that's presented, is an effective

1. one, and I think that those areas that need to be addressed  
2. do provide for the safety of the citizens of our State, and  
3. give protection and input in the local community. I would  
4. urge that we do that in this manner and not support the over-  
5. ride of this bill.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Is there further discussion? Senator...Demuzio may close  
8. debate.

9. SENATOR DEMUZIO:

10. Yes, thank you, Mr. President. Very briefly, a letter that  
11. I have here from the Citizens for a Better environment, I'd  
12. like to share with you a short paragraph, it says that a  
13. multitude of technologies are presently available to destroy  
14. hazardous waste, to reduce their volume and to convert them  
15. to forms that are less toxic. Although many of these...technologies  
16. are admittedly more costly than land filling we, as a Legislator,  
17. must balance these costs against the astronomical cost of not  
18. properly managing hazardous waste. As an example the State  
19. of New York has estimated that it will cost over twenty-three  
20. million dollars to clean up Love Canal, a figure which does not  
21. include the cost for residents of this area who can...continue  
22. to suffer physical and psychological damage. The USEPA itself  
23. is recently estimated that the clean-up cost of twenty-two  
24. billion dollars for twelve hundred hazardous waste sites, that  
25. it suspects to be threats to human health and...and the environment  
26. and again these estimates do not include the funds that will  
27. be needed to deal with the contaminated ground water or to aid  
28. victims whose health has been damaged by exposure to hazardous  
29. waste. It will be possible to prevent huge...future Love  
30. Canals in this State, if we continue to land fill persistent  
31. toxic chemicals for even the best designed land fill, cannot  
32. contain these poisons forever. I want to point out that again  
33. this is a bill that has been worked on for over three years,  
the fact that the...it has no applicability whatsoever to nuclear

1. as was allude to on the other side of the aisle. This bill  
2. is not a...a partisan issue. The Attorney General helped in  
3. the draftment of it, and we are delighted for his assistance  
4. and I would just point out that the other bill that the  
5. Governor has signed, as he had described, this bill, if  
6. we do not take action, it will be too little too late, and  
7. I ask for every member of this Body to support the override on  
8. this issue.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. The question is, shall Senate Bill 659 pass, the veto of  
11. the Governor to the contrary notwithstanding. Those in favor  
12. vote Aye. Those opposed vote Nay. The voting is open. Have  
13. all voted who wish? Have all voted who wish? Have all voted  
14. who wish? Take the record. On that question, the Ayes are  
15. 37, the Nays are 18. None Voting Present. Senate Bill 659  
16. having received the required three-fifths vote is declared  
17. passed, the veto of the Governor to the contrary notwithstanding.  
18. For what purpose does Senator McMillan arise?

19. SENATOR MCMILLAN:

20. A verification of the affirmative vote, Mr. President.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator McMillan has requested a verification. Will all  
23. Senators be in their seats. The Secretary will read the  
24. affirmative votes.

25. SECRETARY:

26. The following voted in the affirmative: Berman, Bruce,  
27. Buzbee, Carroll, Chew, Coffey, Collins, D'Arco, Daley, Demuzio,  
28. Donnewald, Egan, Geo-Karis, Gitz, Grotberg, Hall, Johns, Jeremiah  
29. Joyce, Jerome Joyce, Knuppel, Lemke, Martin, McLendon, Merlo,  
30. Nash, Nedza, Nega, Netsch, Newhouse, Rupp, Sangmeister, Savickas,  
31. Schaffer, Vadalabene, Washington, Wooten, Mr. President.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator McMillan is there any question of...

1. SENATOR MCMILLAN:  
2. Senator Chew.  
3. PRESIDING OFFICER: (SENATOR SAVICKAS)  
4. Is Senator Chew present? Senator Chew? Mr. Secretary...  
5. SENATOR MCMILLAN:  
6. Senator Buzbee.  
7. PRESIDING OFFICER: (SENATOR SAVICKAS)  
8. Senator Buzbee on the Floor? Senator...Senator Buzbee?  
9. Mr. Secretary, strike his name from the record.  
10. SENATOR MCMILLAN:  
11. Senator Nash.  
12. PRESIDING OFFICER: (SENATOR SAVICKAS)  
13. Is Senator Nash on the Floor? Senator Nash is in his seat.  
14. SENATOR MCMILLAN:  
15. Senator Coffey.  
16. PRESIDING OFFICER: (SENATOR SAVICKAS)  
17. Senator Coffey? Is Senator Coffey present? Senator  
18. Coffey? Mr. Secretary, strike his name from the record. Are  
19. there any other...the roll call has been verified and the Ayes  
20. are 35, the Nays are 18. None Voting Present. Senate Bill  
21. 659...Senator Demuzio moves to postpone consideration. Post-  
22. pone consideration. Senate Bill 688, Senator Mitchler.  
23. SECRETARY:  
24. I move that Senate Bill 688 Do Pass, the veto of the  
25. Governor on the contrary notwithstanding. Signed, Senator  
26. Mitchler.  
27. PRESIDING OFFICER: (SENATOR SAVICKAS)  
28. Senator Mitchler.  
29. SENATOR MITCHLER:  
30. Mr. President, I move to withdraw my motion. I talked  
31. to both departments, our bureaucracy can't get together on  
32. it, so I'm just going to withdraw my motion.  
33. PRESIDING OFFICER: (SENATOR SAVICKAS)



1. The motion is withdrawn. Senate Bill 798, Senator  
2. Egan.

3. SECRETARY:

4. I move that Senate Bill 798 Do Pass, the veto of the  
5. Governor to the contrary notwithstanding. Signed, Senator  
6. Egan.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Egan.

9. SENATOR EGAN:

10. Thank you, Mr. President, and members of the Senate.  
11. Senate Bill 798, would reestablish the four percent payment  
12. that is made, call it what you wish to, the counties for  
13. their procedures and their work done in collecting the  
14. State Inheritance Tax. This has been done for years, and  
15. because of the 1970 Constitution, and a court ruling, it  
16. was held to be the...the method and the law providing for  
17. the method were held to be unconstitutional. This bill  
18. has now corrected that, and it was through the generosity of  
19. Senator Sangmeister that he withheld his motion on a bill that  
20. the Governor said would be the proper method of collecting,  
21. however, he also vetoed that bill. So, we're only going to  
22. ask you to override this bill, to favor the counties with  
23. the continuation of their taking four percent of the State  
24. Inheritance Tax for the work that they do in collecting that  
25. money, and I move that the veto be overridden.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Further discussion? Senator McMillan.

28. SENATOR MCMILLAN:

29. Mr. President, and members of the Senate. I rise in  
30. support of the motion to override, even though I question more  
31. and more all the time whether it really ought to be the counties'  
32. responsibility to...to collect the Inheritance Tax and force  
33. Inheritance Tax Laws as long as the responsibility is there,  
as long as they are required to put forth manpower to do so,

1. I believe it's only proper that they have some means of  
2. ...of providing payment, whatever we call it, and however  
3. we term it, for the job that they do. I'll certainly support  
4. efforts at a later time to place that responsibility perhaps  
5. with a State agency where it might belong, but for the time being  
6. I think it's only just that we support this particular piece  
7. of legislation, and I urge a Yes vote on the motion to over-  
8. ride.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Martin.

11. SENATOR MARTIN:

12. Will the sponsor yield?

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. He indicates he will.

15. SENATOR MARTIN:

16. Indeed there's some cost to the county, and my recollection  
17. is, when we tried checking into this, up in the hinterlands  
18. of Winnebago, that the real cost of collections, Senator, were  
19. about a percent and a half, not four percent. Now, I'm not  
20. talking about the money the counties will derive. I...my  
21. question is, if the intent of this bill is to pay the  
22. county legitimately for the efforts that they are doing, then  
23. why the four percent figure, since the real cost of collection  
24. is about 1.5 percent, so that that differential would just be  
25. extra money to the county not a cost of collection.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Egan.

28. SENATOR EGAN:

29. The four percent figure would be retained as the same  
30. compensation that the counties have been receiving from many,  
31. many years. Now, I'm not sure that you're correct when you  
32. say it would only take one and a half percent. I imagine that  
33. varies. It's historical, they have been doing it, they're used  
to that money. To take it away from them now is...is a shock,

1. and simply that, I suppose and nothing more.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Martin.

4. SENATOR MARTIN:

5. Well, reluctantly, and I guess...I guess it'll fly, and  
6. I really do like to keep stuff back to local government, and  
7. I have...I feel sorry for the counties on this, but the reason...  
8. even at the four percent, and one of the reasons I believe for  
9. the court decision, was that it was more than the counties really  
10. needed. Now, I would have to tell you in...you know my particular  
11. case, I'm sitting with the county with the surplus, and the  
12. counties have not been receiving this money for two years, and  
13. they are still surviving. A legitimate, maybe even two percent,  
14. a legitimate look at the real costs, if that were the base of  
15. the bill, I would think that is true and right, but to just  
16. pick a figure because they used to get it, and it turns out that's  
17. way over their real cost, is I'm not sure, even in the State's  
18. or counties' best interest.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President, and Ladies and Gentlemen of  
23. the Senate. I rise in support of the motion to override, and  
24. I would suggest to you that this State Inheritance Tax is the  
25. ...one of the few if not the only that's collected locally by  
26. the County Treasures. We have felt, even since the 1970 Con-  
27. stitution, that those elected people ought to be compensated  
28. for their efforts in collection. Now, whether or not it's  
29. one percent or ten percent, as Senator Sangmeister has indicated,  
30. frankly is subject to some discussion, but there is no question but  
31. they are entitled to something. Heretofore, it was four percent  
32. that was thought fair up until 1970, I suggest to you that  
33. it's still fair. It will cost the State of Illinois roughly  
four million dollars, which they can well afford, and I would

1. urge an Aye vote.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Senator Sangmeister.

4. SENATOR SANGMEISTER:

5. Yes, Mr. President, and members of the Senate. I would  
6. like to add my voice also to an override on this. I had a  
7. bill which had a ten percent figure in it and I was hopeful  
8. that the Governor would look at that, and if he thought it  
9. was too much we would use his amendatory veto on it, but instead  
10. he totally vetoed it, as he did Senator Egan's bill. I think  
11. four percent is a...is a reasonable figure and that's the  
12. reason I withdrew my motion on my bill, and I would urge your  
13. support on this.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Philip.

16. SENATOR PHILIP:

17. Thank you, Mr. President, and Ladies and Gentlemen of  
18. the Senate. When this issue came up in the Regular Session,  
19. I called our County Treasurer, John Novak, and asked him to do  
20. in indepth study in what it costs DuPage County to collect the  
21. Inheritance Tax, and his study and of course he has people in  
22. the office who work partly on Inheritance Tax and partly on  
23. other duties in that office. So, it's rather difficult to come  
24. up with a figure. His most accurate figure was four to five  
25. percent. Now, the counties are entitled to it, I tried to work  
26. out a compromise with the Governor's Office, and suggested that  
27. if we came back here we'd override it, that he would lower Senator  
28. Sangmeister's down to four or five percent, and...and nobody would  
29. scream, but of course we once again did not have too much co-  
30. operation from the second Floor, so I suggested very strongly that  
31. we override this veto of the Governor, and give each county  
32. their four percent, they're entitled to it.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Vadalabene.

1. SENATOR VADALABENE:

2. Yes, Mr. President, and members of the Senate. I also  
3. rise in support of the override of this bill. It...the observation  
4. should be made that basically the monies generated and earned  
5. by residents of the county and a portion of that tax should  
6. remain in the county in which the deceased lived. In my  
7. particular county it means approximately fifty-three thousand  
8. dollars, and in St. Clair County approximately forty-seven  
9. thousand dollars, and I would urge my colleagues to support  
10. this override.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. Senator Grotberg.

13. SENATOR GROTBORG:

14. A question of the sponsor.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. He indicates he will yield.

17. SENATOR GROTBORG:

18. Senator Egan, if it's one and a half percent or whatever  
19. the cost of collection is now, given the nature of county  
20. funding and their general fund, is it on the Real Estate Tax  
21. now, that the cost of collection falls?

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Senator Egan.

24. SENATOR EGAN:

25. It would be...it would be on whatever tax the county collects.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Senator Grotberg.

28. SENATOR GROTBORG:

29. Thank you. To go on on the bill, the answer I was trying  
30. to elicit, of course, was the fact that whatever it costs the  
31. county now to participate in this thing and do the job and all  
32. the work, it's on the Real Estate Tax Bill, the budget of the  
33. county courthouse, the county officers that collect this money.  
So, if we're going to do a little something about local real estate

1. taxes, and some of us have some commitments on those subjects,  
2. this is a pretty good time to do it. Whether it's one and  
3. a half cent...percent of X millions of dollars or whether it's  
4. five percent. I think we should try and get it on the books,  
5. see how it goes and let the courts, of course, decide what is the  
6. exact cost of collection, but let's straighten it out once  
7. and for all, and get that much county operating costs off the  
8. costs of the Real Estate Tax.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? Senator Philip.

11. SENATOR PHILIP:

12. Yes, I apologize, Mr. President, but I just want to make  
13. this observation. You know, at this point, the county receives  
14. nothing, absolutely nothing, for collecting and administrating  
15. the Inheritance Tax. Now, I guess what Senator Grotberg was  
16. indicating is, that that comes out of the county levy, and I suppose  
17. it does, and so what he, I guess he's suggesting, is that hopefully  
18. these counties in good conscience when they receive this four  
19. percent would lower the county rate. I think that's a good  
20. idea, I hope that happens, but I doubt it.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Is there further discussion? If not, Senator Egan may  
23. close debate.

24. SENATOR EGAN:

25. Well, just relative to the actual cost of collection, it is  
26. not presently a...I think in...a debatable statistic, however, four  
27. percent will do the job, I think in most instances, and the  
28. Goldstein case to my knowledge, to the best of my knowledge,  
29. does not refer whatsoever to the amount that is necessary to  
30. pay for the actual expense. So, that is not the reason that  
31. the law was held unconstitutional, and really has no bearing.  
32. Four percent is the historical figure that has been collected  
33. and been used, and it covers the...the job, and I...I reinstitute  
my motion, Mr. President.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is, shall Senate Bill 798 pass, the veto of  
3. the Governor to the contrary notwithstanding. Those in favor  
4. vote Aye. Those opposed vote Nay. The voting is open. Have  
5. voted who wish? Have all voted who wish? Take the record.  
6. On that question, the Ayes are 53, the Nays are 5. None  
7. Voting Present. Senate Bill 798, having received the required  
8. three-fifths vote is declared passed, the veto of the Governor  
9. to the contrary notwithstanding. For what purpose does Senator  
10. Demuzio arise?

11. SENATOR DEMUZIO:

12. Yes, thank you, Mr. President. I understand a motion has  
13. been filed on Senate Bill 659, I was wondering if we could go  
14. to that order of business, please?

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. We can go as soon as we finish the rest of the Calendar  
17. here. Senate Bill 809, Senator Davidson.

18. SECRETARY:

19. I move that Senate Bill 809 Do Pass, the veto of the Governor  
20. to the contrary notwithstanding. Signed, Senator Davidson.

21. PRESIDING OFFICER: (SENATOR SAVICKAS)

22. Senator Davidson.

23. SENATOR DAVIDSON:

24. Mr. President, and members of the Senate. This is what  
25. really is known as the Consumer Protection Bill for aircraft  
26. owners, and I think the Governor vetoed this bill in error  
27. on two or three points. First, he talks about Federal preemption,  
28. and there is no Federal preemption in this bill, it only takes  
29. effect if a Federal airworthiness directive is given then only  
30. to a defect or manufacturing error. Secondly, the part about the  
31. vague constitutionality, it was that way on purpose, because  
32. that's the way most of the Governor's bills came in and you just  
33. earlier today overrode his veto of Senate Bill 459, which he said

1. was not vague enough. This has only one item in it, based off  
2. of what present automobile manufacturers have to do for the  
3. first five years of the life of an automobile. If there's a  
4. manufacturers error, they have to correct it at the manufacturers  
5. costs. I don't know how many of you are involved in aircraft,  
6. I got this bill because of the local group of pilots who spent  
7. eighteen hundred dollars to correct an airworthiness defect and  
8. after they spent it they were immediately told that what they  
9. just put on did not solve the problem and when another air-  
10. worthiness directive came out they were going to have to do  
11. the same thing at their own expense. We had this bill in two  
12. years ago, we have since limited it to five years of the first  
13. owner. We've got support all over the country, in fact, as  
14. of yesterday the President of the Senate of Florida has written  
15. me a letter asking for the copy of the bill, he saw it in Southern  
16. Aviation, and he thinks it's great. He wants to prefile the bill.  
17. I'd ask for an override for the protection of the people.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Is there further discussion? Senator Nedza.

20. SENATOR NEDZA:

21. Yes, thank you, Mr. President, and Ladies and Gentlemen  
22. of the Senate. I rise in support of this override and I would  
23. take exceptions to the Governor's remarks, that it's a piecemeal  
24. approach to the issue of product liability for aircraft, well  
25. it's an unfortunate thing but when there's liability in a  
26. construction of a...an automobile, the individual has an opportunity  
27. to bring that automobile into some dealership to create...or correct  
28. whatever defect was on the automobile. Unfortunately, the same  
29. could not apply to somebody who purchases an aircraft, and is  
30. flying in the sky, and he finds out that...that there is a defect  
31. and he can't turn around and drive into some garage to get it repaired.  
32. Unfortunately it may fall in somebody's home, or in an area...  
33. congested area and create an unnecessary death or deaths of individuals.  
I don't want to have that risk over my home, and I don't think anybody



1. would like that risk over their's. Therefore, I would  
2. urge an override.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Further discussion? Senator Nimrod.

5. SENATOR NIMROD:

6. A question of the sponsor.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. He indicates he will yield.

9. SENATOR NIMROD:

10. Are we saying that if someone, if a manufacturer manufactures  
11. an airplane and it's sold in Illinois and after that particular  
12. period of time the individual buys the airplane, and they change  
13. some regulation, that...and that plane does not...cannot get an  
14. airworthiness certificate, that that...then the manufacturer  
15. is going to be liable for what the Federal Government passes  
16. for a new regulation that they didn't know anything about when  
17. they built the plane?

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Davidson.

20. SENATOR DAVIDSON:

21. No, you didn't listen. I said this had only to do...when  
22. the airworthiness directive was due to the manufactures error  
23. or defect, and you may or may not know that any aircraft that  
24. has an airworthiness directive put out by the Federal Aviation  
25. Authority saying this has got to be corrected, the owner of  
26. the plane right now has to assume that liability even though  
27. the manufacturer made the error. This only...if the  
28. manufacturer made an error, a defect in manufacturing doesn't  
29. apply to anything else.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? Senator Shapiro.

32. SENATOR SHAPIRO:

33. Well, Mr. President, will the sponsor yield to a question?

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Indicates he will.

3. SENATOR SHAPIRO:

4. Yes, Senator Davidson, my concern about the bill is this,  
5. from what I understand there are approximately ten thousand  
6. owners of airplanes in the State of Illinois, and I think  
7. someone told me that there may be three airplane manufacturers.  
8. Now, I...I can see what the problem is, but would this force  
9. the sale of planes out of the State of Illinois? In other  
10. words would the manufacturers say, no surrounding state around  
11. Illinois has this ruling, but Illinois does, so we'll make sure  
12. that we don't sell any planes in Illinois, in other words we'll  
13. sell them in Iowa, and the repairs and that will have to be  
14. done outside of the State of Illinois. Could this conceivably  
15. happen if we pass a law like this?

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Davidson.

18. SENATOR DAVIESON:

19. Not to my knowledge, because if they did such a thing it  
20. would be conspiracy under the Anti-Trust Law and Federal Law  
21. and would interfere with free trade and transportation and  
22. consequently they've got to sell them in Illinois, if a man's a  
23. dealer, the only way they could do it is revoke the dealer, and  
24. they're not about to do that. In fact, it would aid for  
25. the sales in Illinois and those people who sell aircraft, because  
26. I don't know how many of you have received messages, but those  
27. individuals who own aircrafts, and this only applies to private  
28. individuals or a group of private individuals, it doesn't  
29. apply to commercial airlines or military and any other thing, they're  
30. going to want to buy them here.

31. PRESIDING OFFICER: (SENATOR SAVICKAS)

32. Is there further discussion? If not, Senator Davidson  
33. may close debate.

1. SENATOR DAVIDSON:

2. For the sake of the people and the public, please give  
3. me a Yes vote.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. The question is, shall Senate Bill 809 pass, the veto  
6. of the Governor to the contrary notwithstanding. Those in  
7. favor vote Aye. Those opposed vote Nay. The voting is open.  
8. Have all voted who wish? Have all voted who wish? Once  
9. more. Have all voted who wish? Take the record. There's  
10. been a request for postponed consideration on Senate Bill 809.  
11. Postponed consideration. Senate Bill 883, Senator Davidson.  
12. Read the bill, Mr. Secretary.

13. SECRETARY:

14. I move that Senate Bill 883 Do Pass, the veto of the  
15. Governor to the contrary notwithstanding. Signed, Senator  
16. Davidson.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Davidson.

19. SENATOR DAVIDSON:

20. Mr. President, and members of the Senate. This bill  
21. was a bill which we worked on, it does one thing helps on  
22. problem pregnancies. The Governor vetoed it on...talked  
23. about constitutionality, which really doesn't hold up, because  
24. of the Supreme Court rule in June 1977, says states do  
25. not have to fund abortions. Also, under Public Law 95-623,  
26. Title 6, Section 608, Congress prohibited the funding of  
27. programs using abortion as a family planning...method. This  
28. bill would make a few dollars available to those individuals  
29. who have problem pregnancies, who want to go and have the baby  
30. and then make the baby available either to raise themselves  
31. or for adoption. It does say you cannot refer for abortion, it  
32. is constitutional, because the Supreme Court did rule such in  
33. '77, also it's in public law, and Public Health Act on a the Federal

1. level, and I think it's a good bill, it's a beginning to  
2. address a problem of an alternate solution for those teen-  
3. agers or older teenagers that wish to carry on through with  
4. the pregnancy and help give them help. I would ask for  
5. a Yes vote.

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Sen. Rock's Comments

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President, and Ladies and Gentlemen of  
5. the Senate. I rise in support of the motion to override,  
6. and would ask you to recall that when this bill was originally  
7. introduced and when it was originally discussed, its purpose  
8. was to provide grants to those agencies that were willing and  
9. are willing to deal with, well, it's called problem pregnancies.  
10. The restriction that was placed in this bill, by amendment,  
11. suggests only that given the availability of these grants by  
12. virtue of this law, we are suggesting or if you will, mandating  
13. that the department may make grants to non-profit agencies and  
14. organizations which do not refer or counsel for abortion. Now,  
15. we have, in fact, a number of programs...a number of grant  
16. recipients, like Planned Parenthood and Family Planning, and  
17. a number of others, who do, in fact, counsel and refer for  
18. abortion, but we are suggesting is that there is another whole  
19. segment of our society out there who are entitled to this  
20. kind of money, these kinds of grants who do not so refer, and  
21. the constitutional question that the Governor brings up, frankly,  
22. is fallacious. We are entitled as members of this Assembly  
23. to place whatever restrictions we deem fit upon grants that we  
24. deem fit to private agencies. We can put this kind of restriction  
25. on this department. We are suggesting it is a new program. It  
26. one that, in fact, compliments the existing program. I think it's  
27. worthy of our support, and I would urge an Aye vote.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there further discussion? If not, Senator Davidson  
30. may close debate.

31. SENATOR DAVIDSON:

32. Yes vote.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

1. The question is, shall Senate Bill 883 pass, the veto  
2. of the Governor to the contrary notwithstanding. Those in  
3. favor vote Aye. Those opposed vote Nay. The voting is open.  
4. Have all voted who wish? Have all voted who wish? Take the  
5. record. On that question, the Ayes are 43, the Nays are  
6. 12. None Voting Present. Senate Bill 883, having received  
7. the required three-fifths vote is declared passed, the veto  
8. of the Governor to the contrary notwithstanding. Senate  
9. Bill 884, Senator Davidson. Read the motion, Mr. Secretary.  
10. SECRETARY:

11. I move that...excuse me...Senate Bill 884 Do Pass, the  
12. veto of the Governor to the contrary notwithstanding. Signed,  
13. Senator Davidson.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Senator Davidson.

16. SENATOR DAVIDSON:

17. Mr. President, and members of the Senate. This is the  
18. appropriation for the bill which we just overrode. Appreciate  
19. a Yes vote. Take the same vote.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? If...if not, the question is,  
22. shall Senate Bill 884 pass, the veto of the Governor to the  
23. contrary notwithstanding. Those in favor vote Aye. Those  
24. opposed vote Nay. The voting is open. Have all voted who  
25. wish? Have all voted who wish? Take the record. On that  
26. question, the Ayes are 42, the Nays are 9. None Voting Present.  
27. Senate Bill 884, having received the required three-fifths  
28. vote is declared passed, the veto of the Governor to the contrary  
29. notwithstanding. Senate Bill 1212, Senator Moore. Senator  
30. Moore.

31. SENATOR MOORE:

32. Thank you, Mr. President, and members of the Senate.  
33. Senator Maragos had filed the motion on this, I spoke to him  
today, and he asked me whether or not I would make the appropriate

1. motion. I ask for leave to withdraw the motion. We do not  
2. feel that it is necessary to attempt to override the Governor  
3. on this specific matter. I would therefore move, Mr. President  
4. to withdraw the motion filed heretofore on Senate Bill 1212.  
5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is leave granted? Leave is granted. Senate Bill 1223,  
7. Senator D'Arco. Read the motion, Mr. Secretary.

8. SECRETARY:

9. I move that Senate Bill 1223 Do Pass the veto of the  
10. Governor to the contrary notwithstanding. Signed,  
11. Senator D'Arco.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator D'Arco.

14. SENATOR D'ARCO:

15. Thank you, Mr. President. I am a little perplexed by  
16. the Governor's Veto Message, it doesn't quite adequately  
17. explain to us why, in fact, he is vetoing the bill. The  
18. Illinois Medical Society indicated to me and hopefully to  
19. some of my fellow Senators that they, in fact, do support this  
20. override. The Illinois Nursing Association, in fact, does  
21. support the override. I am still trying to figure out why  
22. he vetoed the bill. I am told one reason may be that at the  
23. end of the bill on page 2, where it says the employing  
24. hospital or health facility shall be legally responsible for  
25. the care and treatment of persons attended by the physicians'  
26. assistants under...under the direction of a clinical department  
27. head. The Governor was worried that that would immune doctors  
28. from liability for their care concerning a particular patient  
29. in the facility, and common law would indicate that there's  
30. no reason why both the hospital and the doctor would not be  
31. sued jointly as joint tort-feasors by a patient who was treated  
32. negligently by either or both of...of those people. I really  
33. don't understand, all this applies to is Cermak Hospital in

1. Cook County. The idea, and it doesn't apply to teaching  
2. hospitals, we took that out of the bill. The idea was simply  
3. to provide Cermak with the means of employing physicians'  
4. assistants, so that they wouldn't have to be under a one  
5. to one supervision by a doctor. For every physician assistant  
6. under the old law you would have to have one doctor, and this  
7. is simply a means of treating people by physicians' assistants  
8. without this one to one supervision. I'm preplexed by the  
9. veto, I'm told that it may have been a mistake on his part  
10. in the rush to sign these bills, and I would move for an  
11. override at this time.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? Senator Berning.

14. SENATOR BERNING:

15. Thank you, Mr. President, and members of the Senate. I  
16. rise in support of this measure, calling to your attention that  
17. through the long, tedious legislative process of establishing  
18. the Statutory provision for this new profession of physician  
19. assistant, one of the primary objectives at that time was to  
20. allow the utilization of more than one physician assistant by  
21. a doctor or a hospital. The only way the bill originally  
22. could be passed was by paring it back on down from several  
23. to a few to down to one physician assistant to a physician. I  
24. am delighted, and I know that the Association of Physicians'  
25. Assistants is highly pleased by what is now a recognition  
26. of the need to...utilize these highly trained, competent people  
27. who will still be under the direction of a physician even though  
28. they are not restricted to a one to one basis. This is a  
29. progressive step and I sincerely urge every member to support  
30. the override so that we can enhance the utilization of these  
31. highly trained professional people.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Senator Philip.



1. SENATOR PHILIP:

2. Thank you, Mr. President, and Ladies and Gentlemen  
3. of the House. You know the veto has been...Senate...  
4. the veto has been very clear in my judgment, and what it  
5. says is, that Senate Bill 1223 does not expressly require a  
6. physician's assistant work under the direct supervision of  
7. a physician. Now, there is nothing more important or more  
8. serious in this earth of ours than life. You can have a bum  
9. lawyer, you can have a bum engineer, you can have a bum  
10. architect, you can have a lousy Senator, but I'll tell you  
11. one thing you don't want a lousy or bum physician's assistant,  
12. and I'm not sure what that even is, very honestly. I know  
13. that when I go into the hospital I want the best care possible,  
14. and I'll tell you in good judgment we ought to sustain the  
15. Governor's veto.

16. PRESIDING OFFICER: (SENATOR SAVICAKS)

17. Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President, and Ladies and Gentlemen of the  
20. Senate. Hopefully the last speaker will not be at Cermak  
21. Hospital which is...part of County Jail when he needs his  
22. medical attention. The problem is one that we have all been  
23. dealing with for several years, Senator Berning and I had  
24. legislation in a few years ago, in an attempt to get this exact  
25. thing accomplished. There are not enough physicians willing to  
26. work at County Jail at Cermak to give a one to one relationship.  
27. They have always been, and are in support of this concept of having  
28. physician's assistants available to provide medical care under the  
29. supervision of a group type practice. This is something that all  
30. sides have finally agreed on, it is needed without which we are  
31. not going to have adequate medical service at all, and I think  
32. the Governor was in error in his veto, and I think that we should  
33. pass Senate Bill 1223, the veto of the Governor to the contrary  
notwithstanding.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, Senator D'Arco  
3. may close debate.

4. SENATOR D'ARCO:

5. Pate Philip is talking about bums, well you know I  
6. know a few bums myself, but I won't mention them here. No  
7. I...I was just told by Senator De Angeli's, this is the best,  
8. that...that he had a bill that does the exact same thing  
9. so he's not going to vote for mine because he wanted his to  
10. pass. That's a great reason for not voting for my bill. I  
11. don't understand what the problem is with this bill. I respect  
12. Senator Berning's opinion on it, and all we're trying to do  
13. is provide a service for...for people at Cermak Hospital that  
14. cannot get the direct care of a physician and we're trying  
15. to provide that physicians'assistants will serve these people  
16. in the same capacity as a physician would serve these people.  
17. When Senator Philip talks about direct care, that they're  
18. not under the supervision of a physician assistant he is absolutely  
19. incorrect because the present Statute provides that a physician's  
20. assistant must be under the direction of a physician. That's  
21. already in the law, and why the Governor...why the Governor...

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Could we have a little order here, this is a very important  
24. issue. Senators...Senator Bloom...

25. SENATOR D'ARCO:

26. Why the Governor would indicate that a physician assistant  
27. is not going to be under direct supervision of a physician in  
28. his Veto Message, I don't understand and it's not true. I could  
29. read you the Statute as it presently exists, and if I have to I  
30. would but I don't think that's necessary, but it does say that a  
31. physician shall exercise such direction and control over such  
32. physicians'assistants as will assure that patients receive medical  
33. care from a physician's assistant. Now, I don't know what's more

1. direct than that, and if you don't want to vote for the  
2. bill, because you passed one out of here, you do that.

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(END OF REEL)

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1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. The question is...shall Senate Bill 1223 pass. Moment...for  
3. what purpose does Senator DeAngelis arise?

4. SENATOR DeANGELIS:

5. ...Point of personal privilege.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. State your point.

8. SENATOR DeANGELIS:

9. I...I...I did not want to make this an all Mediterranean  
10. battle, but if...if Senator D'Arco feels as strongly about this  
11. bill as he indicates, then he ought to...accept the fact that  
12. there is already a law on the books that does exactly what he  
13. is talking about. And if he wants to attack the pride of  
14. authorship, that he's really making the issue of pride of  
15. authorship because there is a bill that has been passed, which  
16. by the way Senator D'Arco, ...expressedly, talks about the  
17. supervision...aspect. Granted, yours may be interpreted that  
18. way, but 564 expressedly says it.

19. PRESIDING OFFICER: (SENATOR SAVICKAS)

20. The question is shall...for what purpose does Senator  
21. Vadalabene arise?

22. SENATOR VADALABENE:

23. Yes, just as a matter of compromise of Senator DeAngelis  
24. and Senator D'Arco, Italians do lose their tempers, but they  
25. do get along very well.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. The question is shall Senate Bill 1223 pass the veto of  
28. the Governor to the contrary notwithstanding. Those in favor  
29. vote Aye. Those opposed vote Nay. The voting is open. Have  
30. all voted who wish? Have all voted who wish? Take the record.  
31. On that question the Ayes are 43, the Nays are 9, 2 Voting  
32. Present. Senate Bill 1223 having received the required three-  
33. fifths vote is declared passed, the veto of the Governor to the

1. contrary notwithstanding. Senate Bill 1229, Senator Nimrod.

2. Read the motion, Mr. Secretary.

3. SECRETARY:

4. I move that Senate Bill 1229 Do Pass the veto of the  
5. Governor to the contrary notwithstanding. Signed, Senator  
6. Nimrod.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Nimrod.

9. SENATOR NIMROD:

10. Thank...thank you, Mr. President, Ladies and Gentlemen of  
11. the Senate. The Senate Bill 1229 authorizes physicians and  
12. podiatrists to form a corporation for the combined provision  
13. of their respective professional services. And in this veto  
14. I have talked to the staff, Attorney John Lynch, who wrote  
15. the message for the Governor and it's very apparent from that  
16. message and after having discussion that the Governor has no  
17. objection to this concept. There was some question that there  
18. might at some time be some legal question between the two Acts,  
19. but that's been cleared up and as far as I know, the Governor's  
20. office, at this time, has no objections to this bill. And the  
21. same time, Illinois Medical Society also does not have any  
22. objections and has supported this and asked that it be placed  
23. in this Act. I know of no opposition to this and I do believe  
24. it's strictly an error and to address itself to a technicality  
25. that might...arise and in that case, I would ask for a favorable  
26. ...vote to override the Governor's Veto.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. Mr...Mr. President, Ladies and Gentlemen of the Senate.  
31. I concur with Senator Nimrod because...a professional service  
32. corporation cannot eliminate the liability of the professional  
33. person in it, same thing for lawyers and same...same thing  
34. for doctors. So I think it's...it's...it's a ...a good concept

1. because it allows both of them...the podiatrists and the physicians  
2. to enter into it if they like, if they wish to. I don't see any-  
3. thing wrong with it and I certainly concur with the...Motion  
4. to Override the veto.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Is there further discussion? If not, Senator Nimrod may  
7. close debate.

8. SENATOR NIMROD:

9. Favorable roll call.

10. PRESIDING OFFICER: (SENATOR SAVICKAS)

11. The question is shall Senate Bill 1229 pass the veto  
12. of the Governor to the contrary notwithstanding. Those in  
13. favor vote Aye. Those opposed vote Nay. The voting is open.  
14. Have all voted who wish? Have all voted who wish? Take the  
15. record. On that question the Ayes are 53, the Nays are none,  
16. none Voting Present. Senate Bill 1229, having received the  
17. required three-fifths vote is declared passed the veto of the  
18. Governor to the contrary notwithstanding. Senate Bill 1314.  
19. Senator Daley. Read the motion, Mr. Secretary.

20. ACTING SECRETARY: (MR. FERNANDES)

21. I move that Senate Bill 1314 Do Pass the veto of the  
22. Governor to the contrary notwithstanding. Signed, Senator Daley.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Daley.

25. SENATOR DALEY:

26. Mr. President and fellow Senators. This is a companion  
27. bill to Senate Bill 260, which through the help and assistance  
28. of the University of Illinois and Department of Vocational  
29. Rehabilitation, which there was a full agreement also with  
30. the help of the Illinois State Medical Society, the Illinois  
31. Hospital Association, which firmly have agreed that they should  
32. transfer the Division of Crippled Children to the Department of  
33. Vocational Rehabilitation. The Governor's Office, the U of I,  
34. the Department of Vocational Rehabilitation, worked on it for

1. three months unknown to us again, the Governor vetoed this bill  
2. and I would ask for a favorable roll call.

3. PRESIDING OFFICER: (SENATOR SAVICKAS)

4. Is there further discussion? Senator Buzbee. Senator Buzbee.

5. SENATOR BUZBEE:

6. Thank you, Mr. President. I rise in support of this override. A  
7. ...Senator Daley secured the commitment of the University of Illinois  
8. during the Appropriation hearings on this...on...on their bill.  
9. He secured the commitment from them that they would work to try  
10. to assist in this transfer. A...the Department of Vocational  
11. Rehab is the place where it should be. A...and I...I...I'm just  
12. ...I have one question of Senator Daley. I notice that his name  
13. appears frequently on today's Veto Calendar as...as the lead sponsor.  
14. I'm wondering if he and the Governor had some sort of an understanding  
15. before the Operation Stop Program started. If...if...if he's...a.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Daley...question.

18. SENATOR DALEY:

19. Is a...change very quickly in Springfield as we know. And a...

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Is there further discussion? If not, Senator Daley may close  
22. debate.

23. SENATOR DALEY:

24. I would ask for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. The question is shall Senate Bill 1314 pass the veto of the  
27. Governor to the contrary notwithstanding. Those in favor vote Aye.  
28. Those opposed vote Nay. The voting is open. Have all voted who  
29. wish? Have all voted who wish? Take the record. On that question  
30. the Ayes are 51, the Nays are 5, none Voting Present. Senate Bill  
31. 1314 having received the required three-fifths vote is declared  
32. passed the veto of the Governor to the contrary notwithstanding.  
33. Senate Bill 1328, Senator Bruce. Read the motion, Mr. Secretary.

1. SECRETARY:

2. I move that Senate Bill 1328 Do Pass the veto of the Governor  
3. to the contrary notwithstanding. Signed, Senator Bruce.

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Bruce.

6. SENATOR BRUCE:

7. Thank you, Mr. President, members of the Senate. The Governor  
8. vetoed Senate Bill 13...28 which created a special Health Hazard  
9. Sewerage Treatment Construction Grant. We worded it in such a way  
10. that it met the approval of the Chicago Metropolitan Sanitary  
11. District and most of the groups around the State of Illinois.  
12. The problem is that many of these...smaller communities can never  
13. really get to the top of the Grant Priority List, but at the same  
14. time have been told by the Department of Public Health that they  
15. have a health hazard. We have passed this legislation in the  
16. past. We...we had appropriated the money in the 1978 and the Governor  
17. vetoed the funding but reappropriated in this year seventeen and  
18. a half million dollars for Health Hazard Grants. However that  
19. money is already taken up by earlier approved programs by the  
20. Department of Public Health and the EPA. We appropriated in  
21. this program this year, twelve million dollars for Health Hazard  
22. Grants and that was removed from House Bill 1656. The bill passed  
23. out of this Body 53 to nothing and out of the House 121 to 1.  
24. I think that we have to recognize the small communities that they are  
25. never going to get on the EPA priority list because of their  
26. size. And what this Legislature has gone in effect since 1976  
27. is saying that there ought to be a specialized program for Health  
28. Hazard Grants so that there is fresh water in some of the smaller  
29. communities. I would solicit your vote on an override.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is their further discussion? Senator Shapiro.

32. SENATOR SHAPIRO:

33. Mr. President, would the sponsor yield to a question?



1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. He indicates he will.

3. SENATOR SHAPIRO:

4. A...Senator Bruce, it has just been brought to my attention  
5. that in the granting of these monies and the approval by the  
6. State and the Federal Government that the Feds do not recognize  
7. health hazards as being a...a valid reason for granting of money.  
8. Their concern is strictly to upgrade existing sewerage systems.  
9. Now, if we were to add this to the State...and the State at the  
10. present time recognizes the Federal regulations. Now, if the  
11. State were to...incorporate this into the Statutes governing  
12. the granting of these monies to our local communities and we  
13. were to present a...a...request a grant based on a health  
14. hazard of some type in a community, what would the Feds do?  
15. Would they turn it down, I mean...that's what I'd like to know.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Bruce.

18. SENATOR BRUCE:

19. I don't believe so Senator. In 1978 this Legislature, in  
20. fact, appropriated eighteen million dollars which has been in...  
21. in this year, reappropriated by the Governor. And those grants  
22. are still in effect. There's an approval list which I plan...  
23. the Governor would plan to expend. I don't think there's any  
24. conflict. There may be a problem and I would be the first to  
25. admit that we may not get full matching funds as we do under  
26. other grants. But this is a recognition, it's a small program,  
27. eighteen million dollars...in 1978 and...and twelve million,  
28. eight, this year. But these small communities are never going  
29. to be on the high priority list. It just says that we ought  
30. to expend twelve million of State funds when the Department  
31. of Public Health has come in and said, you're water system  
32. and sewer systems are public health hazards and ought not to  
33. be utilized. Seems to me that the State of Illinois ought to

1. step forward as they did in 1978 and continue the program.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? Senator Mitchler.

4. SENATOR MITCHLER:

5. Mr. President and members of the Senate and the...sponsor  
6. of the motion. Senator Bruce, I certainly appreciate what you're  
7. trying to do here and I'm trying to see how it fits into the  
8. Antipollution Bond Act Program. Has that Act been amended  
9. for other similar grants or is this the first time that the Act  
10. has been amended to provide a...nonuniform...grant program as  
11. we originally provided for?

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Bruce.

14. SENATOR BRUCE:

15. Well, the...it is not a nonuniform program. We went to  
16. the polls and said that we would like to spend a...a billion  
17. dollars in bonds to clean up the water...waterways of Illinois.  
18. And this is amending that section, saying that the Department  
19. of Public Health and EPA will each year submit to the General  
20. Assembly a list of projects that they find to be health hazards.  
21. As I understand there are about thirteen communities on that  
22. list this year. Each year we then have to appropriate the  
23. money if we deem it to the Department of Public Health and EPA  
24. for those grants. We have done that in the past to the tune of  
25. eighteen million dollars. That money has been reappropriated.  
26. There is nothing out of the ordinary about this program. It is  
27. giving special priority to smaller communities to insure that  
28. they have fresh water. That...the...the difficulty with the  
29. priority listing is cities like Peoria and Rockford and Danville  
30. and Mattoon and Charleston and others are going to always be  
31. above the small towns of Toledo and the other small communities  
32. throughout the State of Illinois and they'll never get a grant.  
33. It just seems to me that the program ought to recognize two

1. sorts of communities, large metropolitan areas and the smaller  
2. ones that really, Senator Mitchler, most of these projects are  
3. so small that we can have thirteen projects and about twelve  
4. million dollars. And it does mean that you're going to get  
5. fresh water in most of those communities.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Mitchler.

8. SENATOR MITCHLER:

9. Well, thank you for the explanation, Senator Bruce and  
10. I take you on your word and if this doesn't jeopardize the...  
11. Bond Act and what we had that was passed. That was the last  
12. Bond Act that prior to the new Constitution, that was put for  
13. referendum to the people, seven hundred and fifty million dollars,  
14. and I understand about three hundred fifty million dollars of  
15. that has been appropriated by the General Assembly. We've  
16. got a long way to go and certainly...inasmuch as the people  
17. put through this bond issue by referendum. And here...1970 they  
18. did it, here it is 1979, we've only appropriated three hundred  
19. and fifty million dollars and if there's some communities that  
20. need this, we certainly want to move ahead. And if you've got  
21. this deal, absolutely, we should override the Governor on this  
22. and get this going to help out those small communities. That's  
23. a good bill, let's give it a big Aye vote.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? If not, Senator Bruce may  
26. close debate.

27. SENATOR BRUCE:

28. No, I...ask for a favorable vote.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. The question is shall Senate Bill 1328 pass the veto of  
31. the Governor to the contrary notwithstanding. Those in favor  
32. vote Aye. Those opposed vote Nay. The voting is open. Have  
33. all voted who wish? Have all voted who wish? Have all voted

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Overridden Motion  
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1. who wish? Take the record. On that question the Ayes are 40,  
2. the Nays are 14, none Voting Present. Senate Bill 1328 having  
3. received the required three-fifths vote is declared passed the  
4. veto of the Governor to the contrary notwithstanding. Senate  
5. Bill 1334, Senator Daley. Read the motion, Mr. Secretary.

6. SECRETARY:

7. I move that Senate Bill 1334 Do Pass the veto of the Governor  
8. to the contrary notwithstanding. Signed, Senator Daley.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Daley.

11. SENATOR DALEY:

12. Yeah, Mr. President and fellow Senators. What this bill allows  
13. is any citizen who is called before a Grand Jury the right to  
14. counsel in the Grand Jury Room. Presently we have seen the abuses  
15. in the Federal and State Court and we know what they are. And  
16. the rationale to the Governor's office, is it's a classic. First  
17. of all he says, if a person has the right to counsel in the Grand  
18. Jury Room, it impedes the investigation and it frustrates the  
19. administration of justice. Secondly, he states that it would  
20. jeopardize the secrecy of the system. We know for sure, especially  
21. in Illinois in the last twelve years in the Federal and the State,  
22. there's no such thing as a secrecy, there's leaks and the leaks  
23. come from who? They have to come from the attorney's or the...or the  
24. Grand Juror's, everybody knows it and the press knows it. Thirdly,  
25. he says it would jeopardize that if attorney was sitting next to  
26. his client, the attorney would maybe flee the county or the country.  
27. And fourthly, he states, he worries whether or not attorneys could  
28. represent multiple witnesses and what this bill just allows, is  
29. that instead of the witness, every time they ask him a question,  
30. the District Attorney or the State's Attorney, the witness should  
31. be able to sit next to his attorney and his attorney should advise  
32. him. What happens is that he has to walk out back and forth  
33. maybe sixty or seventy times.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Is there further discussion? If not, the question is shall  
3. ...Senator Bowers.

4. SENATOR BOWERS:

5. Well, Mr. President, I rise in opposition, of course, to  
6. the motion to override. I think we have perverted the Grand  
7. Jury system here to way beyond where...what's reasonable. If  
8. a person is targeted as a defendant in a case, he has to be  
9. notified under Illinois law, he's entitled to an attorney.  
10. But to...to permit every witness to bring an attorney into  
11. the Grand Jury Room, for any of you who have had any experience  
12. in the Grand Jury Room, it's totally impossible to...to...to  
13. conduct it. It seems to me that...there is no real benefit  
14. to be gained by this. Governor also raises what I think is a  
15. very good question. If you give them a Statutory right, by golly,  
16. you're going to have to pay for it for every indigent witness  
17. that goes before the Grand Jury. Now, he's not a target, he's  
18. not targeted as a defendant, he's merely a witness. And to  
19. say that he is entitled to a witness in front of the Grand Jury  
20. ...or to an attorney in front of the grand jury, seems to me  
21. to be way beyond the purview of what the Grand Jury has intended.  
22. Now, I, for one, would support doing away with the Grand Jury in  
23. Illinois. I...I don't know that it serves the function that it  
24. ought to...ought to serve and if that's what Senator Daley wants  
25. to propose, I think I'd be for that. But as long as we've got  
26. it, I think in order to permit the system to work, a mere witness  
27. should not be entitled to an attorney within the Grand Jury Room.  
28. I would rise in opposition.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Sangmeister.

31. SENATOR SANGMEISTER:

32. Yes, Mr. President and members of the Senate. I also rise  
33. in...opposition to the motion to override. I think Senator Bowers

1. has well said it, although I do not agree with him that the Grand  
2. Jury System ought to be abolished. But this is...this is a great  
3. step forward in that direction and I think the Illinois General  
4. Assembly is just going to have to make up its mind somewhere  
5. along the line that we are going to continue under the Grand  
6. Jury System or not. But to...to put this burden upon any prosecutor  
7. who has to conduct a Grand Jury to have to have a lawyer in there  
8. with every witness, it's just chaos. And...and for those of you  
9. who don't understand, I presume most of you do, there's obviously  
10. no guilt or innocence determined in...in the Grand Jury, all that  
11. matters is whether there's probable cause that this person ought to  
12. stand trial. And to have every witness in there with an  
13. attorney will just take an eternity. In fact, I just wonder, I...I  
14. don't know how fast they can progress in Cook County, but I'm  
15. just wondering if it wouldn't almost bring the...the system to  
16. a halt as far as...as handling cases in Cook County are concerned.  
17. I could tell you what it would do on my own. I can understand  
18. the, you know, this looks very good and on its...on the surface  
19. that by God this is really equitable and ought to be done, but  
20. I'll tell you from a procedural standpoint, this is going to  
21. be damn tough to live with.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is...there further discussion? If not, Senator Daley  
24. may close debate.

25. SENATOR DALEY:

26. Mr. President and fellow Senators. First of all I think  
27. the...the State's Attorney in every county can handle the situation.  
28. What the problem is, is that the State's Attorney, if you were  
29. called before a Grand Jury they will not identify you as a target.  
30. It's their discretionary power, that when they call you, they let  
31. you there for two or three or four days, then they can say that  
32. you are a target. They do not notify anyone prior to an investigation  
33. that you're the target. What they do, is they bring the people in

1. the Grand Jury Room who are not...are not attorneys and what happens  
2. is, four days later, then they say, well you're the target of the  
3. investigation. They do that in the District Attorney's Office,  
4. former prosecutors know that and they do it in the local courts  
5. in the State's Attorney's Office.

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. For what purpose does Senator Rock seek recognition?

8. SENATOR ROCK:

9. Oh, I beg your pardon, I hadn't realized Senator Daley was  
10. about to close. I just wanted to point out, having read the  
11. Veto Message, that I for one, as a practicing licensed attorney,  
12. am appalled at the Governor's alledged reason for the veto. All  
13. this legislation, as passed, very simply says that they have a  
14. right, they have a right to an attorney to advise one who appears  
15. before a Grand Jury of their rights. And if you'll turn to page  
16. 2 of the Veto Message, he says it will permit counsel to advise  
17. his client based on observations to flee to avoid impending  
18. indictment. And he can counsel perjury for those who testify.  
19. And he can encourage an...innocent client to refuse to cooperate.  
20. For one who's read the canon of ethics and should live by them,  
21. this is an absolute charade and I would urge an Aye vote.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. The question is shall Senate...for what purpose does Senator  
24. Washington arise?

25. SENATOR WASHINGTON:

26. Yes, I too, was negligent. I was making my case to George  
27. Sangmeister instead of making it on the Floor. I join Senator  
28. Rock and I think this opposition is ludicrous. The Grand Jury  
29. can set time limits, they compose their own standards and their  
30. own rules in terms of counsel conduct before the Grand Jury and  
31. I don't see the counsel would extend anything here, I think  
32. it's a needed safeguard in light of the fact that we all know,  
33. even those who have been Assistant State's Attorneys, that those

1. State's Attorneys run the Grand Juries and that they're, in a  
2. sense, unfortunately star chambers and they're not coming up  
3. with the kind of dicipline, fair, reason, considerations that  
4. we think they're coming up with. I think this is...if we're  
5. going to preserve the Grand Jury System, I think this is the only  
6. reasonable way to do so.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Well, fellows, is there further discussion? If not, the  
9. question is shall Senate Bill 1334 pass the veto of the Governor  
10. to the contrary notwithstanding. Those in favor vote Aye. Those  
11. opposed vote Nay. The voting is open. Have all voted who wish?  
12. Have all voted who wish? Have all voted who wish? Take the record.  
13. On that question the Ayes are 42, the Nays are 15, none Voting  
14. Present. Senate Bill 1334 having received the required three-  
15. fifths vote is declared passed the veto of the Governor to the  
16. contrary notwithstanding. Senate Bill 1342, Senator Daley.

17. SECRETARY:

18. I move that Senate Bill 1342 Do Pass the veto of the Governor  
19. to the contrary, notwithstanding. Signed, Senator Daley.

20. PRESIDING OFFICER: (SENATOR SAVICKAS)

21. Senator Daley.

22. SENATOR DALEY:

23. I don't enjoy getting up here every time, but...the a...  
24. to the Governor's efforts, he was successful and what this bill  
25. does, it allows a minor to be found a member of a family in need  
26. of additional supervision. It will be discretionary with the  
27. Juvenile Court. It was...came out of the Senate, 51 to zip.  
28. Out of the House, 127 to nothing. The Governor has found a  
29. reason. He says that...dealing with judicial interference in  
30. a family, Department of Children and Family Services supported  
31. the bill. The Juvenile Court has supported it. I'd ask for  
32. a favorable roll call.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)



1. Is there further discussion? Senator...Rhoads.

2. SENATOR RHOADS:

3. Well, was there a fiscal note on this the first time through?

4. Well...what would be the fiscal impact, Senator Daley?

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Daley.

7. SENATOR DALEY:

8. I don't think there was...any fiscal note on it originally  
9. and he came up with an idea there would be a fiscal note. And  
10. what it does, it...it allow the court to place a minor in need  
11. of a...the member of the family needed supervision instead  
12. of putting him in Audy Home or things like that. Originally  
13. there was no cost and I guess they've come up with a cost figure,  
14. supposedly.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Rhoads.

17. SENATOR RHOADS:

18. Well, there must be some costs. The Governor's people  
19. are saying it costs between twenty and thirty million dollars  
20. and you're saying no cost. Now if...if the Department of Children  
21. and Family Services has to put an entire family under supervision  
22. there's gotta be some administrative costs involved there.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Daley.

25. SENATOR DALEY:

26. Well, with the new Director, Greg Coler, who's I think one  
27. of the outstanding Directors in the Department of Children and  
28. Family Services that has reorganized that Department, who has  
29. received the full support of...the General Assembly and originally  
30. there was no cost estimate whatsoever and...you know, during the  
31. testimony there was no testimony dealing with cost and now they've  
32. come up with a cost figure, twenty to thirty-six million. Again,  
33. I guess this is the way he wants...to defeat the bill, but there

1. originally was no cost and presently there is no cost.
2. PRESIDING OFFICER: (SENATOR SAVICKAS)
3. Further discussion? Senator Sommer.
4. SENATOR SOMMER:
5. Perhaps we could clarify this. If a family is placed under
6. supervision, does that mean for example, that a...employee of
7. the Department of Children and Family Services could say, that
8. family needs psychiatric help and who pays the psychiatrist?
9. We do. Does this mean that we inherit all the costs of treating
10. that family whenever somebody in the Department of Children and
11. Family Services says that we should. And if that's the case, then
12. the cost could be that.
13. PRESIDING OFFICER: (SENATOR SAVICKAS)
14. Senator Daley.
15. SENATOR DALEY:
16. My understanding of the bill would be judicial discretion
17. where a court would deem in particular circumstances, where the
18. family, maybe there's been a...a child abuse or something else,
19. that they believe that the family, a minor to be found, a member
20. of a family needed judicial supervision that instead of, you know,
21. instead of having the a...the other child placed someplace else
22. and then the mother being placed someplace else, is that they
23. look at the whole family structure. As I understand it, the
24. department favors this concept, it's a new concept and it would
25. allow flexibility of the court and also of the Department of
26. Children and Family Services. What happens today is they go
27. everywhere. They go to Public Aid, they go to the Department
28. of Mental Health and they go to...the Department of...Public Health
29. and all the other agencies. What this would do is kind of coordinate
30. everybody together.
31. PRESIDING OFFICER: (SENATOR SAVICKAS)
32. Senator Sommer.
33. SENATOR SOMMER:

1. Senator Daley, you really didn't answer the question. The  
2. question is, can the court just order all kinds of services for  
3. this family and do we have to pay for them?

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Daley.

6. SENATOR DALEY:

7. The...the son or daughter, husband, would have to qualify  
8. and if the Department of Children and Family Services deems it  
9. necessary...that they need some type of psychiatric help for  
10. the child or for the...the mother or father, they can do it  
11. now. And I think what this would do is coordinate everybody  
12. together. In other words, keep it in the Juvenile Court where  
13. it should belong instead of going over to Public Health and  
14. Public Aid. In other words, they would ask every agency to  
15. be involved instead of being separate.

16. PRESIDING OFFICER: (SENATOR SAVICKAS)

17. Senator Sommer.

18. SENATOR SOMMER:

19. Well, Ladies and Gentlemen of the Senate. It seems to me  
20. that this simply broadens the category of people that the  
21. bureaucrats can play with. And they'll be ordering all kinds  
22. of things for people who are not currently under their jurisdiction,  
23. currently, perhaps the children are, but the parents are not.  
24. All of a sudden we're going to be prying into the minds of  
25. the parents, which may be laudable, but it's going to be  
26. very expensive and I think the...Governor's correct and I think  
27. we should be looking at this bill in terms of what it's going to  
28. cost us down the road in this very expensive Department at the  
29. present time.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Senator DeAngelis. Senator DeAngelis.

32. SENATOR DeANGELIS:

33. Mr. President, point of personal privilege. In the Gallery  
34. behind the Democratic side of the Senate are the students from

Saint Karen's School. I would like to have them rise and be  
1. recognized.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Would they please rise and be recognized. Senator Geo-Karis.  
4. SENATOR GEO-KARIS:

5. Mr. President and Ladies and Gentlemen of the Senate.  
6. I understand though, and I may have voted for the bill in good  
7. faith. But what bothers me, is if this bill could seriously  
8. hinder the termination of parental rights in neglect and  
9. abuse...cases that impair the termination for adoption if the  
10. parents fail to correct conditions in the family, then I  
11. don't think the bill will be serving the purpose that I  
12. thought it would have been serving. I...I...I submit that...that  
13. in part of the Governor's Veto this is what he states and if  
14. that is so, then I cannot support the bill again.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Thank you, Mr. President. The points raised by Senator  
19. Sommer and Geo-Karis are interesting ones, but I...I don't  
20. believe they are precisely on the mark as I understand the  
21. bill. It would seem that the present situation is that in  
22. addressing a problem in which juveniles are involved, that it  
23. costs the State a great deal of money now to provide psychiatric  
24. care, to provide housing, foster parents, whatever it takes. The  
25. reason this bill was put together by those who are involved in  
26. the juvenile court, is, as I understand it, they thought it  
27. would be not only an economy to deal with the family as a  
28. group, but it also might be a more efficient way. Now some  
29. times you run into situations where a child must be separated  
30. from the family because the family is the problem. But it also  
31. would appear that at times if you can give the family a little  
32. support, you avoid the cost of a great deal of separate support  
33. for individuals in the family. My understanding of the bill is  
that this is an attempt not only to be...to give the courts some

1. flexibility to go to that most effective means of treatment, if  
2. you will, but also to save a little money in the process. It's  
3. a lot cheaper in most cases to keep a family together and functioning  
4. than it is to take it apart and to try to give separate members  
5. of that family support through agencies. And far from costing  
6. more money, you know you can always draw an extreme, and in  
7. this case ludicrous example, but I believe on balance it should  
8. translate as was originally stated, no cost or perhaps a saving.  
9. I certainly think it could work either way. And it simply gives  
10. the courts some flexibility of modality in treating these people.  
11. It...it's a...it costs a lot to take a family apart, it really  
12. does. You can save a lot of money sometimes keeping it together  
13. and this gives the court that flexibility.

14. PRESIDING OFFICER: (SENATOR SAVICKAS)

15. Is there further discussion? Senator Berning.

16. SENATOR BERNING:

17. Thank you, Mr. President. This has been an interesting  
18. debate on this particular bill and I'm still perturbed. However,  
19. as so frequently is the case, Senator Wooten makes a strong  
20. argument. It is his argument, however, that impels me to  
21. respond. He is talking really from an idealistic point of  
22. view much like that which established the Workmen's Compensation,  
23. Unemployment Compensation and all these other welfare, social  
24. welfare, blue print programs which look good on paper, but  
25. once you get them into actual practice become a huge ever growing  
26. dollar consuming agency and that is part of my concern with this  
27. particular proposal. It appears to me that by making it possible  
28. to shift with this sort of justification, a family from say, Public  
29. Aid to Children and Family Services or whatever it is that is  
30. going to be taking over this cost as a result of keeping and...  
31. a juvenile in a family unit, we would be shifting costs from one  
32. agency to another and...very likely, very likely, with an ever increasing  
33. cost per unit. This may have some very fine objectives. It very

1. likely is a subject that should be explored in greater detail.  
2. I would like to suggest that the sponsor reconsider, withdraw  
3. his motion and let's consider this deliberatively again and  
4. get some kind of expression from those courts consistently  
5. being referred to as to how they interpret this and what would  
6. be the usual procedure or can we somehow restrict their...in  
7. this case, unlimited prerogative in deciding who is going to  
8. be treated in this special fashion.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Is there further discussion? Senator Wooten.

11. SENATOR WOOTEN:

12. Thank you, Mr. President. In response to Senator Berning,  
13. I...I don't believe, Senator really, that I'm stating an ideal  
14. situation. I try hard not to get caught in that trap. It seems  
15. to me though that quite often when a youngster is involved in the  
16. judicial process...to deal with that youngster, you have to deal  
17. with him separately from the family in order to qualify for  
18. all kinds of help. That process can become very expensive. It  
19. may be a lot simpler, it may be a lot easier to take care of  
20. the situation simply to look at the whole family. And you may not  
21. need much there, you really may not need much at all. All you need  
22. is for some way to find the family to function well. God knows,  
23. we have taken the family apart. I've served on some commissions  
24. here which have embarrassed me by some of the steps they have  
25. taken to take...to take care of the individual minor, the individual  
26. person and in the process we're really just further dismantling  
27. the family structure. Where there is a structure that survives,  
28. that functions I think we ought to give the courts the option of  
29. dealing with a person in that setting. Sometimes it isn't appropriate,  
30. sometimes I say the family is the problem. But to simply say, as  
31. this bill does, you know, the digest on it is really very simple.  
32. Provides a procedure for a child to be declared a member of a  
33. family in need of supervision with the disposition of parallel  
34. that prescribed for a minor in need of supervision. In other words,

1. that you can get some help while still a member of a family  
2. rather than being considered in isolation from it. I don't  
3. think it's a bad idea. The courts are not...mandated to do  
4. this, it's simply an option that the courts themselves have  
5. asked for, they've been dealing with these cases. And when  
6. the judge comes in here and says, along with the others involved  
7. in this process, let us try this because we think it will work.  
8. And it should be, I think, not idealistically, but practically,  
9. it should prove to be a little more economical. If we're wrong,  
10. you know, we've made many mistakes before, but I don't think  
11. we're going to go too far afield in this.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Is there further discussion? If not, Senator Daley may  
14. close debate.

15. SENATOR DALEY:

16. Mr. President and fellow Senators. First of all, in the  
17. hearings itself, the Department of Children and Family Services  
18. and...and...and Judge McGury and Judge White from the Juvenile  
19. Court in Cook County testified we had no cost factor whatsoever,  
20. no cost estimate, everyone agreed to that. What it does, allows  
21. the Juvenile Court just another option and make sure that the  
22. Department of Children and Family Services are held accountable.  
23. What's happening today is they don't do anything. And I think  
24. it...it's a good concept, there's no cost factor and I would  
25. ask for a favorable roll call.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. The question is shall Senate Bill 1342 pass the veto of  
28. the Governor to the contrary notwithstanding. Those in favor  
29. vote Aye. Those opposed vote Nay. The voting is open. Have  
30. all voted who wish? Have all voted who wish? Have all voted  
31. who wish? Take the record. On that...question the Ayes are  
32. 28, the Nays are 27, none Voting Present. Senate Bill 1342  
33. having failed to receive the required three-fifths vote is

1. declared failed. Ladies and Gentlemen, we will now move to  
2. the Order of Item Vetoes on page 6. Page 6 of your Calendar,  
3. Item Vetoes.

4. PRESIDENT:

5. Oh 157, Senator Chew. Yes, Senator Buzbee, for what purpose  
6. do you arise?

7. SENATOR BUZBEE:

8. Parliamentary inquiry, Mr. President. I filed a motion  
9. on a Total Veto override which has already been dealt with  
10. once today. Oh...is it proper to go to that motion now? Are we  
11. going to go through the whole Calendar?

12. PRESIDENT:

13. Well, I think in fairness to the membership...

14. SENATOR BUZBEE:

15. Okay.

16. PRESIDENT:

17. '...we ought to go through the Calendar and then we'll  
18. attempt to get back...

19. SENATOR BUZBEE:

20. Very well.

21. PRESIDENT:

22. ...if that's all right. Senator Chew. On the Order of  
23. Item Vetoes, page 6 on the Calendar, Senate Bill 157. Read the  
24. motion, Mr. Secretary.

25. SECRETARY:

26. I move that the item on page 5, lines 11 through 14, of Senate  
27. Bill 157, Do Pass the Item Veto of the Governor to the contrary  
28. notwithstanding. Signed, Senator Chew.

29. PRESIDENT:

30. Senator Chew.

31. SENATOR CHEW:

32. Mr. President, 157 was an omnibus bill that had several  
33. agencies and commissions involved in its funding. Our filing  
34. is requiring that we restore certain lines which have been read



1. to you. I want to emphasize the veto of this, in my opinion and  
2. the opinion of some experts in this field was a mistake and probably  
3. an error. Because the money that's earmarked for the recycling  
4. cannot be used anywhere else and it's merely a transfer of funds.  
5. It does not require an appropriation. This money is therefore  
6. earmarked for this purpose and this purpose only and can't be  
7. used for no other purpose. So I can't understand the veto on  
8. it. He approved the bill as we gave it to him and vetoed the  
9. ...the monies that's already there. So it's a matter of transferring  
10. funds and not appropriating additional funds because there was no  
11. request for additional funds. We have the money, but it has to  
12. be transferred from one department to the other and I would ask  
13. for a favorable roll call.

14. PRESIDENT:

15. Is there any discussion? Senator Regner.

16. SENATOR REGNER:

17. Yes, Mr. President and members. The vehicle recycling  
18. operation hasn't met or worked since 1974. If these funds are  
19. not used for this particular purpose, the Governor can transfer  
20. anything over a million into the Common School Fund. In fact  
21. in 1978 five million dollars was transferred from here into the  
22. Common School Fund. So if this veto is overridden, actually there  
23. could be less money in the Common School Fund. And I would...I  
24. would urge a No vote.

25. PRESIDENT:

26. Any further discussion? Yes, Senator Bowers.

27. SENATOR BOWERS:

28. Perhaps because I wasn't paying attention, but which...  
29. could we have the motion itself read? I'm not sure which...

30. PRESIDENT:

31. Yes, the motion was once read. I will read it again.  
32. The motion is that the item on page 5, lines 11 through 14 of  
33. Senate Bill 157 Do Pass the...the Item Veto of the Governor to  
34. the contrary notwithstanding. 11 to 14 on page 5. Senator Buzbee.

1. SENATOR BUZBEE:

2. Yes, ...question, Mr. President. I...I'm sorry, I missed  
3. it also. Which specific funds are you attempting to restore here, Senator...

4. PRESIDENT:

5. Page 5, lines 11 to 14.

6. SENATOR BUZBEE:

7. Yeah, but I...I don't know who...I don't know who it is  
8. ...whose string are we pulling here? Vehicle Recycling Board,  
9. is that correct? How many vehicles have we recycled since this  
10. Commission has been in force?

11. PRESIDENT:

12. Senator Chew.

13. SENATOR CHEW:

14. We have a complete report here, Senator, on the vehicles  
15. that's being recycled. Point is, it's not the number, it's the  
16. funds to be transferred, Senator Buzbee, not the number, that we  
17. have already recycled because that wouldn't be involved in the  
18. monies that we need to transfer in. And let me emphasize again,  
19. this is not a new taxing on Appropriation, it's merely a transfer.

20. PRESIDENT:

21. Further discussion? Senator Vadalabene.

22. SENATOR VADALABENE:

23. Yes, since the Abandoned Vehicle Report of 1979, Senator  
24. Buzbee, there's been over five hundred thousand of these abandoned  
25. junk and derelict vehicles and there's...there's approximately  
26. fifty thousand vehicles are added to that annually.

27. PRESIDENT:

28. Further discussion? Senator Coffey.

29. SENATOR COFFEY:

30. Yes, Mr. President and members of the Senate. I rise in  
31. favor of Senator Chew's proposal. This, as he has stated, is not  
32. a...additional tax dollars and this is not taking money away

1. from education. This money comes from transportation in the first  
2. place for this program and if, in fact, there was extra dollars  
3. it should go back to...to transportation. We all have talked  
4. about diversions of funds and here's certainly one place that  
5. there are diversions. This money is only dollars that have already  
6. been there to help the municipalities on getting rid of some  
7. of the old automobiles sitting around their communities and we  
8. need that fund to put this program on and I think we ought to  
9. override this Line Item.

10. PRESIDENT:

11. Any further discussion? Senator Vadalabene.

12. SENATOR VADALABENE:

13. Yes, I just want to make a statement in regard to support  
14. of this override. I...all...merely wanted to answer Buzbee's  
15. question a minute ago in regard to the abandoned vehicles. I  
16. want to point out that the Governor indicated in his Veto Message  
17. that this was not budgeted...money was not budgeted. This should  
18. be clarified that this is not new money. This is merely a transfer  
19. of funds. The Vehicle Recycling Fund was established on January 1,  
20. 1974 and this fund specifically states that the first million  
21. dollars accumulated in this fund can only be spent to finance  
22. the State program for the collection and disposal of unclaimed  
23. abandoned vehicles and to pay the cost thereof as provided by law.  
24. This money, Mr. President and members of the Senate, is therefore  
25. earmarked for this purpose and this purpose only and can't be  
26. used for no other purpose.

27. PRESIDENT:

28. Senator Wooten.

29. SENATOR WOOTEN:

30. Point of inquiry. I'm...I'm probably just confused, but  
31. you are talking about the fifty thousand for the survey? You're  
32. not talking about operating expenses, are you? Because lines 11  
33. through 14, which is what's before us is about the survey and it

1. does not cover the operating expenses, the hundred...what is the  
2. hundred thousand dollar ride and this is the fifty thousand dollar  
3. ride that is before us now. Is that correct?

4. PRESIDENT:

5. Senator Chew.

6. SENATOR WOOTEN:

7. Okay.

8. PRESIDENT:

9. Further discussion? Senator Regner.

10. SENATOR REGNER:

11. Well...Senator Vadalabene, I read part of the report there  
12. and he made the statement that the first million dollars has to  
13. be used for the recycling, which is true, but anything over that  
14. can be transferred and in '78 about five million dollars was,  
15. in fact, transferred to this Common School Fund.

16. PRESIDENT:

17. Further discussion? Senator Chew, you wish to close?

18. SENATOR CHEW:

19. Mr. President, just to emphasize the Governor's Message  
20. says there was no appropriations for this money. And I want  
21. to emphasize that we didn't need an appropriation, the money  
22. was already there. It's a matter of transferring it in the  
23. Recycling Board. Now, we worked on this for long tedious hours  
24. to the satisfaction of everybody involved, including the Executive  
25. Branch. And whether it's transferred or not, it cannot be used  
26. for any other purpose, whether we have one million or fifty  
27. million. It does not go back into the Common School Fund. And  
28. there's a law which prevents it. I think Senator Berman is  
29. totally aware of that and Senator Regner, you should be. And  
30. I would ask for a favorable roll call because the other bill was  
31. passed, Mr. President, and all we need is a transfer and we can  
32. go to work on recycling these automobiles.

33. PRESIDENT:

1. All right. The question is shall the item on page 5, lines  
2. 11 through 14 of Senate Bill 157 pass the Item Veto of the Governor  
3. to the contrary notwithstanding. Those in favor will vote Aye.  
4. Those opposed will vote Nay. The voting is open. Have all voted  
5. who wish? Have all voted who wish? Have all voted who wish? Take  
6. the record. On that question the Ayes are 25, the Nays are 19.  
7. Sponsor requests that further consideration of that motion be  
8. postponed. So ordered. Are there further motions with respect  
9. to Senate Bill 157, Mr. Secretary?

10. SECRETARY:

11. I move that the item on page 5, line 6 through 10 of Senate  
12. Bill 157 Do Pass the Item Veto of the Governor to the contrary  
13. notwithstanding. Signed, Senator Chew.

14. PRESIDENT:

15. Senator Chew.

16. SENATOR CHEW:

17. Again I will emphasize that this is the omnibus bill, Mr.  
18. President, and there will...there are several motions filed  
19. on it so you might hear from more than one sponsor dealing with  
20. his own commission or et cetera. I would ask for a favorable  
21. roll call.

22. PRESIDENT:

23. Senator Johns. Senator Johns.

24. SENATOR JOHNS:

25. Mr. President, if you have filed a...a form asking for  
26. consideration of a specific Line Item in this same bill, may I  
27. address it at this time also?

28. PRESIDENT:

29. No, ...when we read your motion you may. You've...there are four...

30. SENATOR JOHNS:

31. Right now, have you read my...

32. PRESIDENT:

33. ...got...we've not read your motion yet. We're taking

1. the motions in the order in which they were filed.

2. SENATOR JOHNS:

3. Thank you, Mr. President.

4. PRESIDENT:

5. Okay. Senator Bowers.

6. SENATOR BOWERS:

7. Merely...inquiry of the sponsor, if he would yield. A...

8. Senator Chew, what item are we...I...I know the number and I

9. know the line number and the amount, what does it do?

10. PRESIDENT:

11. Senator Chew.

12. SENATOR CHEW:

13. It transfers a hundred thousand dollars for operational

14. expense, sir.

15. PRESIDENT:

16. Senator Bowers.

17. SENATOR BOWERS:

18. Well, is that operation of...of the Rolls Royce or the

19. Cadillac? Operation of what, Senator Chew? I'm...I'm...I

20. withdraw that, I didn't mean it the way it sounded, I was

21. trying to be funny.

22. PRESIDENT:

23. Is there any further discussion? Pardon me? I thought

24. you withdrew your question. Senator Bowers.

25. SENATOR BOWERS:

26. No, I withdrew the statement, I was trying to be funny.

27. A...no, the operation of what, is all I'm asking.

28. PRESIDENT:

29. Senator Chew.

30. SENATOR CHEW:

31. Operation of the board itself. You see the authorization

32. was signed by the Governor for the operation of the board. It's

33. a matter of transferring the money in for operation and a survey

34. and to get on with the recycling program and this is what

35. we are attempting to do now, Senator, to get the monies transferred,

1. the fifty thousand dollars, which you defeated, for the survey,  
2. and now it's a hundred thousand dollars for the operation of  
3. the board.

4. PRESIDENT:

5. Any further discussion? If not, the question is...shall  
6. the item on page 5, lines 6 through 10 of Senate Bill 157 pass  
7. the Item Veto of the Governor to the contrary notwithstanding.  
8. Those in favor will vote Aye. Those opposed will vote Nay.  
9. The voting is open. Have all voted who wish? Have all voted  
10. who wish? Have all voted who wish? Take the record. On that  
11. question the Ayes are 27, the Nays are 16, none Voting Present.  
12. The motion fails. Further motions?

13. SECRETARY:

14. I move that the item on page 16, line 28 through 31 of  
15. Senate Bill 157 Do Pass the Item Veto of the Governor to the  
16. contrary notwithstanding. Signed, Senator Hall.

17. PRESIDENT:

18. Senator Hall.

19. SENATOR HALL:

20. Could I hold that for...the present? Pass over it.

21. PRESIDENT:

22. You may...you may hold it, no question about it. Further  
23. motions on Senate Bill 1...57, Mr. Secretary.

24. SECRETARY:

25. I move that the item on page 5, lines 15 through 22 of  
26. Senate Bill 157, Do Pass the Item Veto of the Governor to the  
27. contrary notwithstanding. Signed, Senator Johns.

28. PRESIDENT:

29. Senator Johns.

30. SENATOR JOHNS:

31. Thank you, Mr. President. ...I would call special attention  
32. to members of the Energy Resource Commission. This particular  
33. item that the Governor has vetoed was a twenty-five thousand  
34. dollar appropriation to the Board of Trustees of Southern

1. Illinois University for the preparation of a detailed proposal  
2. to demonstrate the technical and economic feasibility of ethacoal.  
3. Senator Nimrod, you might be...much aware of this because you  
4. know what we're trying to do. What it did, it took twenty-five  
5. thousand dollars out and he said that he would recommend that  
6. the Institute of Natural Resources as the logical agency to  
7. coordinate the State's efforts in energy related research.  
8. He wanted the...the Governor wanted this INR to do the feasibility  
9. study. Well, let me tell you that as a member of the commission,  
10. very familiar with their actions and their responsibilities,  
11. they do only assist in contacting people who do feasibility  
12. studies. They simply do not have the expertise, the technical  
13. staff to...to handle this kind of process. They only help you  
14. in writing the grant applications. This is a vital part of our  
15. energy program for the State of Illinois and I would urge you  
16. to help me restore this on the basis that whoever decided this  
17. for the Governor really didn't have the grasp of what we are  
18. trying to do. Didn't have the grasp of which specific part  
19. of government was supposed to aid us in this regard. And  
20. this twenty-five thousand dollars would aid SIU in developing  
21. a feasibility study on ethacoal. So I would appreciate a  
22. favorable roll call and I think Senator Nimrod might want to  
23. address this issue with me.

24. PRESIDENT:

25. Is there any discussion? Senator Nimrod.

26. SENATOR NIMROD:

27. Thank you, Senator Johns, thank you, Mr. President. I  
28. think that's very important that when we talk about energy  
29. that we, in fact, consider adding a source of energy. When  
30. we have a vast resource of coal and we ignore to make use of  
31. it, I think that that is the wrong step. Seems to me that  
32. in working with the whole ethacoal process that we ought  
33. to look to coal along with the agricultural process and see



1. if we can't create some new energy availability from our natural  
2. process. Seems to me that twenty-five thousand dollars is a  
3. very little amount of money, when in fact, we've been willing  
4. to invest seventy million dollars of...taxpayer's money to  
5. find other sources for use of coal. And it seems to me that this  
6. is a step in the right direction and I'm sure that the Governor  
7. probably considered to veto it...it's something new and he took  
8. the step that he had to...to discourage funding everything that  
9. was new. But this one seems to have some merit and certainly  
10. is along the lines of research, which is very...very badly  
11. needed.

12. PRESIDENT:

13.       There any further discussion? Senator Johns, you wish  
14. to close?

15. SENATOR JOHNS:

16.       Mr. President, I think it's been summed up very adequately  
17. as best I could and Senator Nimrod certainly added to it. I  
18. would...appreciate a favorable roll call on this small amount  
19. of money for a very important project.

20. PRESIDENT:

21.       The question is shall the item on page 5, lines 15 through  
22. 22 of Senate Bill 157 pass the Item Veto of the Governor to  
23. the contrary notwithstanding. Those in favor will vote Aye.  
24. Those opposed will vote Nay. The voting is open. Have all  
25. voted who wish? Have all voted who wish? Have all voted who  
26. wish? Take the record. On that question the Ayes are 36,  
27. the Nays are 13, none Voting Present. The item on page 5,  
28. lines 16...15 through 22 of Senate Bill 157 having received  
29. the required three-fifths vote is declared passed the Item  
30. Veto of the Governor to the contrary notwithstanding. On  
31. the Order of Item Vetoes, page 6 on the Calendar is a motion  
32. filed with respect to Senate Bill 356. Read the motion, Mr.  
33. Secretary.

1. SECRETARY:

2. I move that the items on page 1, lines 14 through 18, 19  
3. through 23, 24 through 30 and the item on page 1, lines 31  
4. through 33 and on page 2, line 1 of Senate Bill 356 Do Pass  
5. the Item Vetoes of the Governor to the contrary notwithstanding.  
6. Signed, Senator Berning.

7. PRESIDENT:

8. Senator Berning.

9. SENATOR BERNING:

10. Thank you, Mr. President...members of the Senate. To  
11. refresh your memory, Senate Bill 356 was the Judicial Retirement  
12. System appropriation...and included in the amendment to that  
13. were appropriations for funding for the State teachers, State  
14. employees and General Assembly. To refresh your memory just  
15. a bit, let me point out to you that as of June, 1978, now  
16. that's well over a year ago and much has transpired since,  
17. the Judicial Retirement System was funded at a rate of 30.4  
18. percent. The others were in the mid forties. These figures  
19. that I'm referring to do not reflect the impact of some  
20. very costly Pension Fund System changes which occurred in 1978  
21. and again in the recent spring Session of 1979 so that these  
22. levels of funding are dramatically less than what I have before  
23. me as the last accumulated figures. Senate Bill 356 with  
24. the amendments that I put on it, do account for a sizeable  
25. amount of money, Mr. President, a little over fourteen million  
26. dollars. Fortunately for us and for our Pension Systems, the  
27. present Governor has been...approving slightly over pay-out  
28. for our Pension Systems. However, because of changes in the  
29. benefit structure that have been the result of actions by the  
30. General Assembly as well as...with the Governor's Concurrence.  
31. We are in a continually deteriorating position as far as being  
32. anywhere near adequately funded. I submit to you that the State  
33. of Illinois is on the threshold of being preempted in the control

1. of our Public Pensions Systems by the Federal Government if we  
2. do not embark on a...aggressive program of improved funding.  
3. Therefore, Mr. President, I have filed a motion which has  
4. been read to nonconcur with the Governor's Amendatory Veto  
5. and would urge the members of this Body to vote to override  
6. that reduction so that we can start on what probably will  
7. be a long term, perhaps up to forty year program of bringing  
8. our Pension Systems up to a reasonable and defensible level  
9. of funding so as to assure that future generations of our  
10. fellow citizens to come are not faced with a huge funding  
11. problem, which at this point, we are making...making them  
12. assume. It's necessary that we embark on a program of  
13. amortization of this unfunded liability. I plead with the  
14. members of the Senate to vote for this override, Mr. President.

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1. PRESIDENT:

2. Is there any discussion? Senator Sommer.

3. SENATOR SOMMER:

4. Senator Berning, could you indicate what, in the event  
5. that we embarked upon this program in years future, what one-  
6. half, I...or is there what, five-tenths of one percent above  
7. pay out, would be next year? In other words, this is percentage  
8. above pay out. What...what would the figure be, it's fourteen  
9. million this year, what...what does that obligate us for next  
10. year provided that this is some sort of plan that we have.

11. PRESIDENT:

12. Senator Berning.

13. SENATOR BERNING:

14. Senator, you're correct as far as the percentage is concerned.  
15. It's one-half of one percent of payroll. I would suspect that  
16. if you take the payroll as it now exists and increase it by  
17. the normal expectation of increased compensation for our employees  
18. for next year, which has been running at about five percent, the  
19. increased appropriation next year would be that one-half of one  
20. percent of the current salary plus one-half of one percent of  
21. the five percent increase.

22. PRESIDENT:

23. Senator Sommer.

24. SENATOR SOMMER:

25. I suspect a couple of things that we might want to discuss.  
26. One would be, you know we've been quite willing, some of us  
27. to vote benefits and not vote the means to pay for the benefits  
28. other than to rely on future appropriations, and ever indebteding  
29. and obligating the State and binding the hands of further Legislatures.  
30. Is there any talk about having a consistent plan to...to make  
31. our pension systems more sound, have we ever embarked and said  
32. to ourselves, let's make this a plan every year in the General  
33. Assembly to add certain amounts.

1. PRESIDENT:

2. Senator Berning.

3. SENATOR BERNING:

4. Thank you, Mr. President. There is pending on the Total  
5. Veto List, Senate Bill 250, which was the one I asked leave  
6. and was granted leave to come back to, that is the substantive  
7. bill which provides the mandatory one-half of one percent of  
8. payroll for every...every department from here on, but it was  
9. pointless to attempt to override that veto without first having  
10. an approval of the funding, in other words 250 is meaningless  
11. without the appropriations, and that's the reason we are on 356.  
12. If this motion prevails, and then the motion on Senate Bill 318,  
13. which is the university system prevails, then I will...proceed  
14. with Senate Bill 250, and urge the support of that, because that  
15. is the implementing Statute.

16. PRESIDENT:

17. Further discussion? Senator Carroll.

18. SENATOR CARROLL:

19. Thank you, Mr. President, and Ladies and Gentlemen of  
20. the Senate. I rise in support of Senator Berning's motion. I  
21. find it interesting that the Governor on one hand talks about  
22. the potential crisis in unfunded liability of these pension  
23. funds, and then his auto pen apparently controlled by Doctor  
24. Bob Mandeville of the Bureau of the Budget tells him to strike  
25. the money that would start us on the road toward funding this  
26. potential liability. It is clear that he has no interest in  
27. dealing with the issue of unfunded liability were he to have  
28. done likewise is actions would have noted it. He talks instead  
29. of how much money that we are actually spending on pension funding  
30. as opposed to dealing with the actual aspects of going beyond  
31. payout and of dealing with unfunded liability. I think this is  
32. a very small and reasonable approach, an approach that we can well  
33. afford, and an approach that will long term bring us into the

1. situation that the Governor and all others who have talked  
2. about it have said, and that is that we do have the type of  
3. liability actually funded and not unfunded. I would urge  
4. support of the motion to override the Governor's veto.

5. PRESIDENT:

6. Further discussion? Senator Buzbee.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. I also rise in support of this  
9. override attempt. For years we have been hearing from our  
10. constituents that are participants in these funds, that they  
11. are afraid of the fact that the fund may go broke some day  
12. and so forth. I do not share that fear, because as long as the  
13. State of Illinois is solvent then these funds will be solvent  
14. as far as being able to meet current obligations. However, we  
15. can project and it has been projected, I'm not a member of the  
16. Pension Laws Commission, but the last figures that I heard were  
17. something like a one billion dollar a year payout for one fund  
18. alone in the year 2000. We can expect those kind of figures  
19. to loom larger and larger. It is very easy for any Governor  
20. or for any General Assembly to put off any attempt to start  
21. adequately funding these funds, because after all they don't  
22. really have to live with the consequences of one billion or  
23. two billion or three billion dollar a year payoff for the  
24. retirement systems, they only have to worry about such things  
25. as Sales Tax relief and so forth. Currently they don't have to  
26. worry about those big unfunded liabilities, those amounts of  
27. payouts we're going to have in years to come. You'll recall that  
28. we attempted to do something similar to this during the Walker  
29. administration, and as I recall the...the lead on that attempt  
30. came from the Republican side of the aisle. I think perhaps  
31. Senator Shapiro was instrumental in part of that lead. The  
32. Democrats went along with that, we thought it was a good...it  
33. was a progressive thing, we were putting seventeen million dollars,

1. I believe was the figure we were using that year, the  
2. next year we were going to put thirty-four and we were  
3. going to make it sixty, sixty-eight and so forth. Either  
4. the bill lost in the House or Governor Walker vetoed  
5. it, I've forgotten which. I think this is much more realistic,  
6. this is affordable, this is fourteen million dollars this  
7. year. If we can't afford that additional fourteen next year,  
8. I don't see any reason why we have to put it in, but...let's  
9. at least make the start, let's make the attempt, we're going  
10. to show the participants that we are attempting to start to  
11. catch up with the unfunded liabilities. The present Governor  
12. apparently wants to have his pension systems and eat it too,  
13. or something like that, because he signed the legislation,  
14. which increased the benefits and then vetoed the money to pay  
15. for those increased benefits. We all know the pressures we're  
16. going to be under in the next few years. This coming legislative  
17. Session will be a beaut. We're going to be under tremendous pressures  
18. from those folks who have already retired and when the inflationary  
19. spiral is going along at thirteen, fourteen, and fifteen percent,  
20. we're telling them we're going to give you a three percent  
21. increase in your pension, and of course three percent is probably  
22. based on a two or three or four hundred dollar a month pension  
23. to start with. They're going to be coming in here, this place  
24. is going to look like yesterday about five or ten times multiplied,  
25. When they start coming in next year, and saying we've got to  
26. have increased payout, we've got to have increased benefits.  
27. The time has come for us to start to make those increases, to make  
28. the increases into the funding. I am not one who subscribes to  
29. the theory that because we've got the money in the treasury let's  
30. spend it, but it is rather difficult to come over...to overcome  
31. the argument with six hundred million dollars sitting in the  
32. treasury to say that we can't afford fourteen million as a  
33. token to the pension funds that we need to start to build up

1. that reserve. Thank you, very much.

2. PRESIDENT:

3. Further discussion? Senator Berning may close.

4. SENATOR BERNING:

5. Roll call.

6. PRESIDENT:

7. All right, the question is, shall the items on page  
8. 1 lines 14 through 18, and 19 through 23, and 24 through 30,  
9. and the item on page 1 lines 31 through 33, and page 2 line  
10. 1, to Senate Bill 356 pass, the Item Vetoes of the Governor  
11. to the contrary notwithstanding. Those in favor will vote  
12. Aye. Those opposed will vote Nay. The voting is open.  
13. Have all voted who wish? Have all voted who wish? Take  
14. the record. On that question, the Ayes are 51, the Nays are  
15. 1. The items on page 1 lines 14 through 18, and 19 through  
16. 23, and 24 through 30, and the item on page 1, lines 31 to  
17. 33, and page 2 line 1, to Senate Bill 356, having received the  
18. required three-fifths vote is declared...are declared passed  
19. the Item Vetoes of the Governor to the contrary notwithstanding.  
20. On the Order of Item Vetoes on the bottom of page 6, is Senate  
21. Bill 578. Read the motion, Mr. Secretary.

22. SECRETARY:

23. I move that the item on page 10, lines 9 through 12,  
24. of Senate Bill 578 Do Pass, the Item Veto of the Governor  
25. to the contrary notwithstanding. Signed, Senator Regner.

26. PRESIDENT:

27. Senator Regner.

28. SENATOR REGNER:

29. Yes, Mr. President, and members of the Senate. During the  
30. last Session we appropriated or put an amendment on the  
31. Public Aid Bill to appropriate one dollar from the Special  
32. Purposes Trust Fund. Over the years this has sort have been  
33. Slush Fund for the Department of Public Aid and this is



1. consistent with the idea we've had here in the Legislature, and  
2. especially in the two bills that were overridden yesterday  
3. on appropriating Federal Funds, the idea that the General  
4. Assembly should appropriate all funds not allow a trust  
5. fund such as this that the agencies can use it at their  
6. own...own whim. There was some debate that possibly some  
7. program activity would be lost in the department but the  
8. fourteen million dollars in General Revenue which is  
9. equal to the estimated loss in this fund was added for operations  
10. and general assistance grants. So, there'll be no loss in  
11. any programs in the department, but it does give the General  
12. Assembly the option of acutally appropriating all funds as  
13. we have desired in various other piece of legislation that  
14. we've passed, and I'd ask for a favorable roll call.

15. PRESIDENT:

16. Is there any discussion? If not, the question is, shall  
17. the item on page 10, lines 9 through 12 of Senate Bill 578 pass  
18. the Item Veto of the Governor to the contrary notwithstanding.  
19. Those in favor will vote Aye. Those opposed will vote Nay.  
20. The voting is open. Have all voted who wish? Have all voted  
21. who wish? Have all voted who wish? Take the record. On  
22. that question, the Ayes are 55, the Nays are none. None Voting  
23. Present. The item on page 10, lines 9 through 12 of Senate  
24. Bill 578, having received the required three-fifths vote is  
25. declared passed, the Item Veto of the Governor to the contrary  
26. notwithstanding. On the Order of Item Vetoes top of page  
27. 7 on the Calendar, is Senate Bill 581. Read the motion, Mr.  
28. Secretary.

29. SECRETARY:

30. I move that the item on page 5, line 15 through...or 11  
31. through 15 of Senate Bill 581 Do Pass, the Item Veto of the  
32. Governor to the contrary notwithstanding. Signed, Senator Moore.

33. PRESIDENT:

1. Senator Moore. 1

2. SENATOR MOORE:

3. Thank you, Mr. President, and members of the Senate.

4. The Governor's Veto of some two hundred and eighty-five  
5. thousand or so much thereof as may be necessary, was  
6. appropriated from the Agricultural Premium Fund to the  
7. Department of Business and Economic Development for advertisement  
8. and promotion of port districts throughout the State of Illinois.  
9. I don't know why the Governor vetoed this out, he claimed it  
10. was an unbudgeted item, however, with the Big 4 and the Appropriations  
11. Committee, Senator Hall, they still come out with some four  
12. hundred and thirty-eight thousand dollars less than was introduced,  
13. and we were able to convince them of the need for an additional  
14. two hundred and eight-five thousand dollars for advertising  
15. the port districts throughout the State of Illinois which include  
16. the Waukegan Port District, Shawnee Town, Tri-City, Kaskaskia,  
17. Seneca, the Chicago Regional Port District, the Illinois Valley,  
18. Mount Carmel, Joliet Regional, Havana Regional, White County,  
19. and Jackson County Regional Port Districts. I think that this  
20. should be overridden. I can only refer to one thing and my  
21. own opinion it...it is imperative that steamship lines be...  
22. be solicited and importers and exporters be informed about  
23. the ports of Illinois through printed media, audio-visual  
24. aids, person to person contact, whatever else it might be, and  
25. I'd just like to make one quote from...Krane Chicago Business of  
26. March 26th, and it says, and I quote, "while the General Assembly  
27. has done its duty in providing funds for capital development, it  
28. has fallen far short of its duty of protect that investment with  
29. a marketing war chest." I don't consider two hundred and eighty-  
30. five thousand dollars a war chest, I think it's a minimal amount  
31. that we need for promoting the ports throughout the State of  
32. Illinois, and at the appropriate time I would move for a favorable  
33. roll call, Mr. President.

1. PRESIDENT:

2. Any discussion? Senator Vadalabene.

3. SENATOR VADALABENE:

4. Yes, I move in support of Senate Bill 581, the Tri-  
5. City Port authority in Madison County is one of the fastest  
6. growing ports not only in the State of Illinois but in the  
7. country, and I believe this is good legislation, and I  
8. support Senator Moore.

9. PRESIDENT:

10. Further discussion? Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President, and Ladies and Gentlemen of  
13. the Senate. Senator Moore's list sounded like a thirty-  
14. six vote list of the ports throughout the State. I think  
15. he pointed out that during the negotiations on this department's  
16. budget while we ended up still reducing the amount of their  
17. appropriation this was one of the things that was felt to be  
18. of most critical need. I was surprised by the Governor's  
19. action. We had negotiated with the department what they  
20. told us they wanted which included this, and I am in support  
21. therefore of Senator Moore's motion and ask that we do override  
22. the Governor's Line Item Veto.

23. PRESIDENT:

24. Further discussion? Senator Hall.

25. SENATOR HALL:

26. Thank you, Mr. President, and Ladies and Gentlemen of the  
27. Senate. I just wanted to add that at last the big 4 has seen  
28. the light. So, at this time I'm in full support of your legislation.

29. PRESIDENT:

30. Further discussion? Senator Moore may close.

31. SENATOR MOORE:

32. I'd ask for a favorable roll call, Mr. President.

33. PRESIDENT:

1. All right, the question is, shall the item on page 5,  
2. lines 11 through 15 of Senate Bill 581 pass, the Item Veto  
3. of the Governor to the contrary notwithstanding. Those in  
4. favor will vote Aye. Those opposed will vote Nay. The voting  
5. is open. Have all voted who wish? Have all voted who wish?  
6. Have all voted who wish? Take the record. On that question,  
7. the Ayes are 52, the Nays are 2. None Voting Present. The  
8. item on page 5, lines 11 through 15 of Senate Bill 581, having  
9. received the required three-fifths vote is declared passed,  
10. the Item Veto of the Governor to the contrary notwithstanding.  
11. On the Order of Item Vetoes, top of page 7, is Senate Bill 891.  
12. Read the motion, Mr. Secretary, please.

13. SECRETARY:

14. I move that the item on page 38, lines 5 through 7 of  
15. Senate Bill 891 Do Pass, the Item Veto of the Governor to the  
16. contrary notwithstanding. Signed, Senator Bloom.

17. PRESIDENT:

18. Senator Bloom.

19. SENATOR BLOOM:

20. Thank you, Mr. President, and fellow Senators. This item  
21. addresses Federal Highway Safety Reimbursement Funds, and it was  
22. the judgment of the Senate, and you may recall a rather amusing  
23. colloquy between Senators Carroll, Buzbee, Bloom, with Secretary  
24. Kramer and his numbers man sitting along the wall, concerning  
25. a helicopter for the trauma system. Basically the judgment  
26. of the General Assembly was that the Federal Highway Safety dollars  
27. in the budget that were submitted to us, that were earmarked  
28. as such wonderful programs as putting stickers on every stop  
29. sign in the State, saying it's a crime to vandalize the same,  
30. anytime is train time, a movie, and to give the Secretary of  
31. State a program he didn't want, foolproof driver's licenses, if  
32. you put them under flashing red lights they'd say which...  
33. which person it was, we felt that it could...these Federal

1. Highway Funds could be better expended in a backup helicopter,  
2. earmarked for the trauma system. Somehow I was very surprised  
3. by the Governor's Veto but that was because the Bureau of the  
4. Budget was unaware of that, and Secretary Kramer plumb forgot.  
5. I'd move that we restore this item.

6. PRESIDENT:

7. Further discussion? Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President, and Ladies and Gentlemen of  
10. the Senate. Senator Hall made a comment before and let  
11. me say that once we have seen the light, the light burns  
12. bright forever, we saw the light on this one also. It  
13. was part of the negotiated process. It is our opinion that  
14. the DOT can, in fact, apply for a waiver, if they get  
15. the waiver the funds can be used for this needed purpose.  
16. If they do not get the waiver, then the funds are not spendable  
17. there is no jeopardy in actually overriding the Governor's Veto,  
18. in case they do not the waiver. The jeopardy is in not over-  
19. riding whereas there could be this type of emergency vehicle  
20. available to the State if DOT takes the appropriate action,  
21. and is successful. We had agreed to this at the time, and we  
22. will hold to that, because it was needed, and I would ask that  
23. we do, in fact, override the Governor's Line Item Veto.

24. PRESIDENT:

25. Any further discussion? Senator Bloom may close.

26. SENATOR BLOOM:

27. No.

28. PRESIDENT:

29. The question is, shall the item on page 38, lines 5 through  
30. 7 of Senate Bill 891 pass, the Item Veto of the Governor to the  
31. contrary notwithstanding. Those in favor will vote Aye. Those  
32. opposed will vote Nay. The voting is open. Have all voted who  
33. wish? Have all voted who wish? Have all voted who wish? Take

1. the record. On that question, the Ayes are 48, the Nays are  
2. 3. None Voting Present. The item on page 38, lines 5 through  
3. 7 of Senate Bill 891, having received the required three-fifths  
4. vote is declared passed, the Item Veto of the Governor to the  
5. contrary notwithstanding. All right, we'll move now to the  
6. middle of page 7, on the Order of Item Reductions, Senate Bill  
7. 157. Senator D'Arco on the Floor? Senate Bill 318, Senator  
8. Berning. On the Order of Item Reductions, the middle of  
9. page 7, is Senate Bill 318. Read the motion, Mr. Secretary.  
10. SECRETARY:

11. I move that the item on page 1, lines 16, 17, 18, 19, 20,  
12. and 21, and the items on page 1, lines 26, 27, 28, 29, and the  
13. items on page 2, lines 1, 16, 17, 18, and 23 of Senate Bill 318  
14. be restored, the Item Reduction of the Governor to the contrary  
15. notwithstanding. Signed, Senator Berning.

16. PRESIDENT:

17. Senator Berning.

18. SENATOR BERNING:

19. Thank you, Mr. President. First I want to acknowledge with  
20. thanks the action of the Body on Senate Bill 356. Now, Senate  
21. Bill 318 and this particular line item is for State universities.  
22. I point out to you that yes that is the highest funded State  
23. system at this point, it having had as of June 48.6. There  
24. is consequently perhaps a little more of an argument as to why  
25. it is necessary, however, I feel that in all fairness and  
26. equity we should again embark on a program of adequate funding  
27. here in this system as well as the others, unless there is some  
28. serious question, I would respectfully request an Aye vote on  
29. this override.

30. PRESIDENT:

31. Any discussion? Senator Buzbee.

32. SENATOR BUZBEE:

33. Thank you, Mr. President. I rise in support of this motion

1. once again, and without repeating everything I said on  
2. the last issue, I would just like to add one more thing. One  
3. group that we have not taken care of, that is going to be on  
4. us like flies on molasses, is the widows of...of pension...  
5. thank you. The widows of annuitants, thank you, thank you,  
6. who are not getting any cost of living increases at all now.  
7. My predecessor twice removed, Senator Crisenberry, from  
8. Murphysboro, his widow wrote me about three or four years  
9. ago to tell me that her little meager pension she got from  
10. the...this pension system had never been increased since the  
11. time that Senator Crisenberry died. That is true of all the  
12. pensions systems in this State, and those folks are going to  
13. be the next ones that are going to be in to talk about and  
14. rightfully so. So, another good reason why we ought to continue  
15. providing funding for these systems.

16. PRESIDENT:

17. Any further discussion? Senator Berning do you wish to  
18. close?

19. SENATOR BERNING:

20. Roll call, Mr. President.

21. PRESIDENT:

22. All right, the question is, shall the items on page 1,  
23. lines 16, 17, 18, 19, 20, and 21, and the items on page 1, lines  
24. 26, 27, 28, 29, and the items on page 2, lines 1, 6, 17, 18, and 23  
25. of Senate Bill 318 be restored, the Item Reduction of the Governor  
26. to the contrary notwithstanding. Those in favor will vote Aye.  
27. Those opposed will vote Nay. The voting is open. Have all voted  
28. who wish? Have all voted who wish? Take the record. On that  
29. question, the Ayes are 47, the Nays are 5. None Voting Present.  
30. The items on page 1, lines 16, 17, 18, 19, 20, and 21, and the  
31. items on page 1, lines 26, 27, 28, 29, and the items on page 2,  
32. lines 1, 6, 17, 18, and 23 of Senate Bill 318, having received  
33. the required majority vote of Senators elected are declared restored,

1. the Item Reductions of the Governor to the contrary notwithstanding.  
2. Senator D'Arco for what purpose do you arise?

3. SENATOR D'ARCO:

4. Mr....Mr. President, I was called outside for a second.  
5. I think my motion came up, do I have leave to return to that  
6. order of business? I think it was Senate Bill 157. Thank you,  
7. I appreciate it really.

8. PRESIDENT:

9. All right, on the Order of Item Reductions. Read the  
10. motion, Mr. Secretary.

11. SECRETARY:

12. I move that the item on page 4, line 17 of Senate Bill  
13. 590, be restored, the Item Reduction of the Governor contrary  
14. notwithstanding. Signed, Senator Davidson.

15. PRESIDENT:

16. No. All right, read the motion. We're on the Order of  
17. Item Reductions, Senate Bill 157. Read the motion, Mr. Secretary.

18. SECRETARY:

19. I move that the item on page 4, lines 9 through 11 of  
20. Senate Bill 157 be restored, the Item Reduction of the Governor  
21. to the contrary notwithstanding. Signed, Senator D'Arco.

22. PRESIDENT:

23. Senator D'Arco.

24. SENATOR D'ARCO:

25. Thank you, very much, Mr. President. What this is, is the  
26. appropriation bill for the Hospice Commission and I talked to  
27. various Legislators concerning the hospice concept, and I talked  
28. to Senator Maitland about it, and he agreed in principle that the  
29. hospice is a good concept and, in fact, they are doing this in  
30. Bloomington in a hospital there and it seems to be working out  
31. very well, but we are trying to protect against, and he agreed that  
32. there may be certain profiteering going on that the commission  
33. could put an end to plus the fact that we would be in a position



1. to secure Federal and State grants and create ways and means  
2. to have a terminally ill facility for people to die with  
3. dignity, and I know that John Grotherg wants to speak on the  
4. issue, and I would yield my time...

5. PRESIDENT:

6. Well, the Chair would have to rule that the motion as  
7. presented, frankly, is out of order. It is an...it is an Item  
8. Veto not a Reduction. He cut out the whole amount, he didn't  
9. reduce it. So the motion will have to be...Senator Davidson  
10. on the Floor? All right, we'll move to the Order of Specific  
11. Recommendations for Change. 228, Senator...all right, we'll  
12. move now to the Order of Specific Recommendations for Change.  
13. The motion filed with respect to Senate Bill 65, on the bottom  
14. of page 7. Read the motion, Mr. Secretary.

15. SECRETARY:

16. I move that to accept the specific recommendations of  
17. the Governor as to Senate Bill 65, in the manner and form which  
18. follows. Signed, Senator Jerome Joyce.

19. PRESIDENT:

20. Senator Joyce.

21. SENATOR JEROME JOYCE:

22. Yes, Mr. President. This would allow the 911 system to  
23. go on as...as we voted for except in counties of a hundred thousand  
24. or less. There it would be purely optional on their part, whether  
25. they participate in this or not, and if they do, they are eligible  
26. for State funds. So, I would move to accept this Specific  
27. Recommendations for Change.

28. PRESIDENT:

29. Any discussion? Senator Bowers.

30. SENATOR BOWERS:

31. Sponsor yield for a question? Now...

32. PRESIDENT:

33. Indicates he'll yield. Senator Bowers.

1. SENATOR BOWERS:  
2. I...I have to admit, I've kind of gotten lost in this 911  
3. controversy. We...we...there was a bill passed that changed the  
4. shall to may permanently, what happened to that? Do you know?  
5. PRESIDENT:  
6. Senator Joyce.  
7. SENATOR JEROME JOYCE:  
8. I...I don't know, that is not in this bill.  
9. PRESIDENT:  
10. Senator Bowers.  
11. SENATOR BOWERS:  
12. Then as I understand the...the effect of this, if we accept  
13. this recommendation is, that in counties over a hundred thousand  
14. they're still mandated to go with the 911 system. Is there any  
15. compensation from the State for that?  
16. PRESIDENT:  
17. Senator Joyce.  
18. SENATOR JEROME JOYCE:  
19. Yes, one hundred percent. What happens now, if not for this  
20. bill they would have to do it in three years. This bill says  
21. that they have to do it when the State gives them the money. So,  
22. they...they get the money up front before they have to do it.  
23. PRESIDENT:  
24. Senator Bowers.  
25. SENATOR BOWERS:  
26. Now, just so I'm clear, and this is true in all counties, or...  
27. or just in counties over a hundred thousand?  
28. PRESIDENT:  
29. Senator Joyce.  
30. SENATOR JEROME JOYCE:  
31. Just in counties over a hundred thousand. Counties under  
32. a hundred thousand may do it if they wish, but they are not  
33. mandated to.

1. PRESIDENT:

2. Senator Martin.

3. SENATOR MARTIN:

4. Will the sponsor yield?

5. PRESIDENT:

6. He indicates he will. Senator Martin.

7. SENATOR MARTIN:

8. Okay, now the original bill was all counties, and now the  
9. Governor's saying, and you're recommending we accept that if...  
10. if only taking the mandatory bit for counties under a hundred  
11. thousand. Those of us that represent some counties over a hundred  
12. thousand have the same problems with 911. I've got a county  
13. of two hundred a fifty thousand with five different phone systems.  
14. We, you know, technologically...which is why I supported your bill  
15. originally. Now, I've got nothing against letting the smaller  
16. counties out, but I'm afraid I think it's unfair to have the  
17. larger counties who are having exactly the same problems to have  
18. the Governor delete them from the bill.

19. PRESIDENT:

20. Senator Joyce.

21. SENATOR JEROME JOYCE:

22. No, the Governor did not delete them from the bill. As  
23. we passed the bill it is exactly the same for counties over a  
24. hundred thousand, as we passed the bill. He did not do anything  
25. to that. All he did was say that counties under a hundred thousand  
26. it wasn't mandatory. They could participate if they wanted to, but  
27. the State will fully fund this program in counties such as yours.  
28. It's the same way it was before.

29. PRESIDENT:

30. Further discussion? Senator Sommer.

31. SENATOR SOMMER:

32. Just one quick question. I won't prolong this. Who funds  
33. it for the little counties if they wanted to do it. Do they have

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1. to do it themselves?
2. PRESIDENT:
3. Senator Joyce.
4. SENATOR JEROME JOYCE:
5. No, the same way the State does.
6. PRESIDENT:
7. Senator Sommer.
8. SENATOR SOMMER:
9. Then in all cases the State will fund all these programs?
10. PRESIDENT:
11. Senator Joyce.
12. SENATOR JEROME JOYCE:
13. That's correct.
14. PRESIDENT:
15. Is there any further discussion? Senator Joyce do you
16. wish to close?
17. SENATOR JEROME JOYCE:
18. No, roll call.
19. PRESIDENT:
20. All right, the question is, shall the Senate accept the
21. Specific Recommendations of the Governor as to Senate Bill 65,
22. in the manner and form just stated by Senator Joyce. Those in
23. favor will vote Aye. Those opposed will vote Nay. The voting
24. is open. Have all voted who wish? Have all voted who wish?
25. Take the record. On that question, the Ayes are 56, the Nays
26. are none. None Voting Present. The Specific Recommendations
27. of the Governor as to Senate Bill 65, having received the required
28. constitutional majority vote of Senators elected are declared
29. accepted. On the bottom of page 7, on the Order of Specific
30. Recommendations for Change, Senate Bill 133, Senator Nimrod.
31. Read the motion, Mr. Secretary.
32. SECRETARY:
33. I move to accept the Specific Recommendations of the  
Governor as to Senate Bill 133, in the manner and form as follows.

1. Signed, Senator Nimrod.

2. PRESIDENT:

3. Senator Nimrod.

4. SENATOR NIMROD:

5. Thank you, Mr. President, and Ladies and Gentlemen of  
6. the Senate. Senate Bill 133 addresses itself to the subject of  
7. unfit to stand trial. This is a natural follow up of the  
8. previous bills which we had passed on not guilty by reasons of insanity,  
9. and what's happened here is that this bill has had extensive  
10. hearings and made many changes and over a period of two years  
11. seems to have the support of everyone, but there were some  
12. questions that were brought up by the Governor, which after  
13. discussion with the departments and with other people involved  
14. in establishing this bill that they have no objection to the  
15. Governor's Recommendations. The Governor makes a number of  
16. recommendations here, which are primarily procedural and I'd  
17. be happy to list them. Some are clarifying and some remove  
18. some of the rights of the defendant, and others expand the time  
19. which the court has to conduct fitness hearings. I'd be glad  
20. to go into detail on them, but I have checked with those that  
21. are involved. If there's any question about them, I'd be glad  
22. to go into them, if not, I would ask that we accept the recommendations  
23. of the Governor's objections.

24. PRESIDENT:

25. Is there any discussion? If not, the question is, shall  
26. the Senate accept the Specific Recommendations of the Governor  
27. as to Senate Bill 133 in the manner and form just stated by  
28. Senator Nimrod. Those in favor will vote Aye. Those opposed  
29. will vote Nay. The voting is open. Have all voted who wish?  
30. Have all voted who wish? Take the record. On that question,  
31. the Ayes are 49, the Nays are none. 3 Voting Present. The  
32. Specific Recommendations of the Governor as to Senate Bill 133,  
33. having received the required constitutional majority vote of Senators  
elected, are declared accepted. Top of page 8, 176, on the Order

1. of Specific Recommendations for Change. Read the motion, Mr.  
2. Secretary.

3. SECRETARY:

4. I move to accept the Specific Recommendations of the  
5. Governor as to Senate Bill 176 in the manner and form as follows.  
6. Signed, Senator Sangmeister.

7. PRESIDENT:

8. Senator Sangmeister.

9. SENATOR SANGMEISTER:

10. Thank you, Mr. President, and members of the Senate. I  
11. originally had filed a motion to totally override the Governor's  
12. Veto, and then after looking at the situation have had some  
13. second thoughts and filed a motion now to go along with his  
14. Specific Recommendations for Change. This bill is the Workfare  
15. Bill, which will put Public Aid recipients to work and earn  
16. their way for their Public Aid checks. The Governor has...has  
17. so amended the bill that it has eliminated, for all intents and  
18. purposes, the County of Cook because he felt in his message that  
19. there was programs under way there that were being initiated,  
20. and the other thing the bill does, is it does put the responsibility  
21. on the bodies who are issuing the tax relief, rather than on  
22. the Department of Public Aid, that was a fight that I had all the  
23. way through the General Assembly, is the Department of Public  
24. Aid felt that we were putting too much of a burden on them.  
25. So, rather than lose this, I will accept the Governor's Recommendation,  
26. and therefore be happy to answer any questions, but if there are  
27. none, Mr. President, I move to accept the Specific Recommendations  
28. of the Governor as to Senate Bill 176.

29. PRESIDENT:

30. Is there any discussion? Senator Hall.

31. SENATOR HALL:

32. Will the sponsor yield for a question?

33. PRESIDENT:

He indicates he'll yield. Senator Hall.

1. SENATOR HALL:

2. Yes, Senator, did you say that this amandatory veto,  
3. I'm sorry I haven't read it, but...Specific Change, just  
4. takes out Cook County, because they have a work program?  
5. The reason I'm asking that they had a work program in my area.

6. PRESIDENT:

7. Senator Sangmeister.

8. SENATOR SANGMEISTER:

9. Relying on what the Department of Public Aid tell us, you  
10. know that the county...they have a county department that ad-  
11. ministers the aid which is distributed to...remember we're  
12. only talking about general assistance, Public Aid workers  
13. in this case, and I guuess there is a program under way, as I  
14. understand it in Cook County where there are supposedly some  
15. five thousand of these people under that program. I take the  
16. Public Aid Department's word that that is going and although  
17. there are sixty-three thousand people receiving general assistance  
18. in Cook County, the Governor felt that the work program's under  
19. way up there, and we ought to let that proceed, and we ought  
20. to just enact this for the rest of the State of Illinois.

21. PRESIDENT:

22. Further discussion? Senator Geo-Karis.

23. SENATOR GEO-KARIS:

24. Mr. President, and Ladies and Gentlemen of the Senate.  
25. Perhaps this bill is not as strong since it was amendatorily  
26. vetoed as we had wanted it to be, but again it's a step in  
27. the right direction. People are getting tired of people sitting  
28. on Public Aid, who are able-bodied and don't want to do anything,  
29. and I think we should help our local governments. I certainly  
30. concur with Senator Sangmeister.

31. PRESIDENT:

32. Further discussion? Senator Sangmeister may close.

33. SENATOR SANGMEISTER:

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1. Well, that's it, and I think it will be well to put  
2. this on the books for the State of Illinois, and get forward  
3. moving with this program. Perhaps next year, or two years  
4. from now we can take another look and even improve it further.  
5. I solicit your Aye vote.

6. PRESIDENT:

7. The question is, shall the Senate accept the Specific  
8. Recommendations of the Governor as to Senate Bill 176, in the  
9. manner and form just stated by Senator Sangmeister. Those in  
10. favor will vote Aye. Those opposed will vote Nay. The voting  
11. is open. Have all voted who wish? Have all voted who wish?  
12. Take the record. On that question, the Ayes are 47, the Nays  
13. are none. None Voting Present. The Specific Recommendations  
14. of the Governor as to Senate Bill 176, having received the  
15. required constitutional majority vote of Senators elected are  
16. declared accepted. Senator Rhoads on 228. On the Order of  
17. Specific Recommendations for Change, top of page 8, is Senate  
18. Bill 228. Read the motion, Mr. Secretary.

19. SECRETARY:

20. I move to accept the Specific Recommendations of the Governor  
21. as to Senate Bill 228, in the manner and form as follows. Signed,  
22. Senator Rhoads.

23. PRESIDENT:

24. Senator Rhoads.

25. SENATOR RHOADS:

26. Thank you, Mr. President, and members of the Senate. This  
27. is the Merit Scholarship Bill, which passed the Senate last  
28. June. The Governor vetoed the appropriation bill that went along  
29. with this bill, and made some Specific Recommendations for Change.  
30. The first thing he did was reduce the number of eligible students  
31. from four thousand down to two thousand, thus cutting the cost  
32. of the program in half, down to two million dollars. He delayed  
33. the effective date to the 1980-'81 school year, so there'll be no



1. fiscal impact in this FY '80 year, and then finally he requires that  
2. the students attend institutions...clarifies that they must  
3. be full time students. I believe that these are good changes  
4. and I would urge a favorable vote.

5. PRESIDENT:

6. Is there any discussion? If not, the question is, shall  
7. the Senate accept the Specific Recommendations of the Governor  
8. as to...pardon me, Senator Bruce.

9. SENATOR BRUCE:

10. I just wonder, this is the...this is a bill of which I've opposed  
11. in the past, but I just wonder what the requirement will be for  
12. passage?

13. PRESIDENT:

14. Same as every other acceptance of Specific Recommendations, 30  
15. affirmative votes.

16. SENATOR BRUCE:

17. Well, since in the...in the message, the Governor has put  
18. an effective date...it seems to me that under...under that language  
19. it will require, in fact, 36 affirmative votes to put an effective  
20. date, other than January 1st, 1980.

21. PRESIDENT:

22. Senator Bruce.

23. SENATOR BRUCE:

24. I have misstated...the bill in itself has an immediate effective  
25. date in it, then the Governor, in fact, did not delete that which  
26. means is in effect and the language requiring an immediate effective  
27. date...requires a three-fifths vote for action after July the 1st.

28. PRESIDENT:

29. Senator Walsh for what purpose do you arise?

30. SENATOR WALSH:

31. Mr. President, and members of the Senate. I just wanted  
32. to indicate my opposition to the bill. I opposed it when it  
33. was originally...when it was originally offered, that is...  
the section relative to merit scholarship. It seems to me that

1. the Scholarship Commission should concern itself with granting  
2. scholarships to needy students only, and a very wealthy student  
3. who happens to have merit, in my opinion, should not receive  
4. any kind of a scholarship. That was the basis of my objection  
5. when the bill was originally offered, and that's the basis of  
6. my objection now. So, in addition to the point that Senator  
7. Bruce made, possibly we can just defeat the...defeat the motion.

8. PRESIDENT:

9.           Parliamentarian is checking that, Senator Bruce. Yes,  
10. Senator Buzbee for what purpose do you arise?

11. SENATOR BUZBEE:

12.           Well, I was wondering if maybe...a motion to adjourn might  
13. be in order at this time, and since we're going to be in  
14. at 9:30 tomorrow morning.

15. PRESIDENT:

16.           Motion to Adjourn is always in order, I just hope you  
17. don't place it. Chair is prepared to rule, that pursuant  
18. to Section 9, Article 4 of the Constitution, says...Sub-Section  
19. E, that Specific Recommendations may be accepted by a record vote  
20. of a majority of the members elected to each House, and the Chair  
21. will rule that 30 votes are required to accept the Governor's  
22. Specific Recommendations for Change, and I also cross reference  
23. you to Chapter 131, Sections 22 and 23, and particularly with  
24. respect to the effective dates. Senator Rhoads. Yes, Senator  
25. Bruce.

26. SENATOR BRUCE:

27.           I'd...I'd just like to say I think that's a correct ruling,  
28. but I think we ought to have made it sometime a long the way.  
29. You and I have disagreed on that in the past, and I think once we've  
30. acted on a bill, if it was in there and we passed it, and may  
31. require...before July the 1st, the amendatory veto is the only thing  
32. we're considering, but I thought it might be a nice time, and I  
33. was hoping you'd make an incorrect ruling. I'm sorry you didn't  
but I'm proud that you did make a correct ruling.

1. PRESIDENT:

2. I'll tell you what, someday I may, all right. Senator  
3. Maitland.

4. SENATOR MAITLAND:

5. Thank you, Mr. President, and Ladies and Gentlemen of the  
6. Senate. I would remind Senator Bruce that one of his major  
7. objections to that bill has been...has been taken care of by  
8. the Governor, and I...I think that we can both live with that  
9. and be satisfied with that. As is known, I was one of the co-  
10. ...original co-sponsors of that legislation in this...in this  
11. Chamber, felt that it was good legislation, and mention has  
12. been made once again that we're rewarding rich kids. Ladies  
13. and Gentlemen of the Senate, that's just absolutely not true.  
14. This next Spring, when the merit scholar winners in your  
15. districts in the paper, look at those pictures, and look at  
16. those kids, and find out in some cases what income area they're  
17. from. This thousand dollar grant to these outstanding merit  
18. scholar winners will be the difference of some of them receiving  
19. the grants that they're already getting from the State, whether  
20. or not they go to school at all. This thousand dollars is  
21. very meaningful. I support the grant program that we have, we're  
22. spending nearly eighty million dollars a year, but do you know  
23. that about seven or eight million dollars of that is going to  
24. kids, students with D averages. Let's do a little something for  
25. the kids who have really excelled. I think that's not too much  
26. to ask in the State of Illinois.

27. PRESIDENT:

28. Senator Schaffer.

29. SENATOR SCHAFFER:

30. I'd just like to briefly echo Senator Maitland's comments.  
31. I'm happy to find an education bill we totally agree on. I think  
32. that merit scholarship list that we do see each year is one of the  
33. cruellest hoaxes that the State perpetrates on its people. Those  
kids have earned a chance, I agree with Senator Maitland, many of

1. them are not, most of them, a vast majority of them are not  
2. rich. The Scholarship Commission, through some perverted  
3. logic, includes the values of homes in determining who's eligible  
4. and who isn't, and the cost of homes and the artificial inflation  
5. factor that has driven the cost up has disqualified vast segments  
6. of our society. This bill will give some of those people  
7. a chance for need...needed aid. I think it deserves every vote  
8. in this Body.

9. PRESIDENT:

10. Any further discussion? Senator Rhoads may close.

11. SENATOR RHOADS:

12. Thank you, Mr. President. This bill is half as expensive  
13. as it was the first time we passed it. It is for deserving  
14. students, students based on...on scholarship, and that's what  
15. the scholarships should be for. I ask for a favorable vote.

16. PRESIDENT:

17. The question is, shall the Senate accept the Specific  
18. Recommendations of the Governor as to Senate Bill 228 in the  
19. manner and form just stated by Senator Rhoads. Those in favor  
20. will vote Aye. Those opposed will vote Nay. The voting is  
21. open. Have all voted who wish? Have all voted who wish?  
22. Take the record. On that question, the Ayes are 40, the Nays  
23. are 6. None Voting Present. The Specific Recommendations  
24. of the Governor as to Senate Bill 228, having received the  
25. required constitutional majority vote of Senators elected, are  
26. declared accepted. 293, Senator McLendon. On the Order of  
27. Specific Recommendations for Change, page 8, Senate Bill 293.  
28. Read the motion, Mr. Secretary.

29. SECRETARY:

30. I move to accept the Specific Recommendations of the Governor  
31. as to Senate Bill 293, in the manner and form as follows. Signed,  
32. Senator McLendon.

33. PRESIDENT:

Senator McLendon.

1. SENATOR MCLENDON:

2. Yes, Mr. President, and members of the Senate. This  
3. bill requires a person representing an injured party to  
4. furnish that party at the time of the agreement the address  
5. of the representing party, and a copy of the agreement. The  
6. Governor amended the bill, and suggested that the injured  
7. party also be furnished with a copy of the Act, I'd like  
8. the approval of the Senate for the Governor's recommendation.

9. PRESIDENT:

10. Is there any discussion? If not, the question is, shall  
11. the Senate accept the Specific Recommendations of the Governor  
12. as to Senate Bill 293 in the manner and form just stated by  
13. Senator McLendon. Those in favor will vote Aye. Those opposed  
14. will vote Nay. The voting is open. Have all voted who wish?  
15. Have all voted who wish? Take the record. On that question,  
16. the Ayes are 50, the Nays are none. None Voting Present. The  
17. Specific Recommendations of the Governor as to Senate Bill 293,  
18. having received the required constitutional majority vote of  
19. Senators elected are declared accepted. 294, Senator McLendon.  
20. On the Order of Specific Recommendations for Change. Senate  
21. Bill 294. Read the message...or read the motion, Mr. Secretary.

22. SECRETARY:

23. I move to accept the Specific Recommendations of the Governor  
24. as to Senate Bill 294, in the manner and form as follows. Signed,  
25. Senator McLendon.

26. PRESIDENT:

27. Senator McLendon.

28. SENATOR MCLENDON:

29. Yes, Mr. President, and members of the Senate. This bill  
30. is...similar to the last bill that we passed. It applies to  
31. a person representing a claimant in a fire insurance claim. The  
32. Governor amended the bill, and suggested that the a party  
33. be provided with a copy of the Act. I'd appreciate an  
affirmative vote.

1. PRESIDENT:

2. Is there any discussion? If not, the question is, shall  
3. the Senate accept the Specific Recommendations of the Governor  
4. as to Senate Bill 294 in the manner and form just stated by  
5. Senator McLendon. Those in favor will vote Aye. Those opposed  
6. will vote Nay. The voting is open. Have all voted who wish?  
7. Have all voted who wish? Take the record. On that question,  
8. the Ayes are 50, the Nays are none. None Voting Present. The  
9. Specific Recommendations of the Governor as to Senate Bill 294  
10. having received the required constitutional majority vote of  
11. Senators elected, are declared accepted. 359, Senator Newhouse.  
12. 362, Senator Davidson. On the Order of Specific Recommendations  
13. for Change, in the middle of page 8, is Senate Bill 362. Read  
14. the motion, Mr. Secretary.

15. SECRETARY:

16. I move to accept the Specific Recommendations of the Governor  
17. as to Senate Bill 362 in the manner and form as follows. Signed,  
18. Senator Davidson,

19. PRESIDENT:

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Mr. President, and members of the Senate. I would ask for  
23. a favorable vote for what he amendatorily did, was remove a House  
24. Amendment which was identical to Senate Bill 811, which has  
25. already been signed into law.

26. PRESIDENT:

27. Any discussion? Senator Walsh.

28. SENATOR WALSH:

29. Will the Gentleman yield?

30. PRESIDENT:

31. Indicates he'll yield. Senator Walsh.

32. SENATOR WALSH:

33. Can you explain what the bill does, and again once more  
just why it was necessary for him to amendatorily veto it?

SB 419  
Amendatory Veto  
10-17-79

1. PRESIDENT:

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. Yes, what...over in the House, they had put an amendment  
5. on dealing with a judge retirement or someone for a five year  
6. vesting period in it, that was the same as Senate Bill 811.  
7. 8...Senate Bill 811 has already been signed into law, and that  
8. was signed into law prior to 362, getting to the Governor's  
9. Desk, and he amendatorily vetoed that House Amendment out of  
10. the bill, and I'm asking to concur in the amendatory veto.

11. PRESIDENT:

12. Any further discussion? If not, the question is, shall  
13. the Senate accept the Specific Recommendations of the Governor  
14. as to Senate Bill 362 in the manner and form just stated by  
15. Senator Davidson. Those in favor will vote Aye. Those opposed  
16. will vote Nay. The voting is open. Have all voted who wish?  
17. Have all voted who wish? Take the record. On that question,  
18. the Ayes are 48, the Nays are none. None Voting Present. The  
19. Specific Recommendations of the Governor as to Senate Bill 362,  
20. having received the required constitutional majority vote of  
21. Senators elected, are declared accepted. 419, Senator Bloom.  
22. On the Order of Specific Recommendations for Change, the middle  
23. of page 8, is Senate Bill 419. Read the message...I mean read  
24. the motion, Mr. Secretary.

25. SECRETARY:

26. I move to accept the Specific Recommendations of the Governor  
27. as to Senate Bill 419 in the manner and form as follows. Signed,  
28. Senator Bloom.

29. PRESIDENT:

30. Senator Bloom.

31. SENATOR BLOOM:

32. Thank you, Mr. President, and fellow Senators. 419, as you  
33. may recall amended the Illinois Administrative Procedure Act. It  
was a joint committee on Administrative Rules Bill. The feeling

1. was that a lot of unnecessary objections could be avoided,  
2. where we told the agencies to state their criteria when they  
3. exercised their discretion and rule making. Basically the  
4. Governor...the Governor's people added some language saying  
5. insofar as is practicable I would recommend that we accept this  
6. change. I'd answer any questions, otherwise I'd ask for a  
7. roll call.

8. PRESIDENT:

9. Any further discussion? If not, the question is, shall the  
10. Senate accept the Specific Recommendations of the Governor as to  
11. Senate Bill 419 in the manner and form just stated by Senator  
12. Bloom. Those in favor will vote Aye. Those opposed will vote  
13. Nay. The voting is open. Have all voted who wish? Have all  
14. voted who wish? Take the record. On that question, the Ayes  
15. are 50, the Nays are none. None Voting Present. The Specific  
16. Recommendations of the Governor as to Senate Bill 419, having  
17. received the required constitutional majority vote of Senators  
18. elected, are declared accepted. 666, Senator Davidson. On  
19. the Order of Specific Recommendations for Change, page 8 on the  
20. Calendar, is Senate Bill 666. Read the motion, Mr. Secretary.

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(END OF REEL)



1. SECRETARY:

2. I move to accept the Specific Recommendations of the  
3. Governor as to Senate Bill 666 in the manner and form as follows.  
4. Signed, Senator Davidson.

5. PRESIDENT:

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. Yes, what the...it was in the bill and originally was an in-  
9. correct reference to the Illinois Controlled Substance Act and  
10. certain...portions then...already Senate Bill 369 which deals with  
11. Chicago, City of Chicago teachers, there was some minor differences  
12. in the language between these two bills and Senate Bill 369 had  
13. already been signed into law and the amendatory changes was to make  
14. this minor change so they would be the same so there could be no  
15. challenge on the difference in the language about...concerning  
16. equal protection. I would ask for a favorable vote on the Amendatory  
17. Veto.

18. PRESIDENT:

19. Any discussion? If not, the question is shall the Senate  
20. accept the Specific Recommendations of the Governor as to Senate  
21. Bill 666 in the manner and form just stated by Senator Davidson.  
22. Those in favor will vote Aye. Those opposed will vote Nay. The  
23. voting is open. Have all voted who wish? Have all voted who wish?  
24. Take the record. On that question the Ayes are 52. The Nays are  
25. none. None Voting Present. The Specific Recommendations of the  
26. Governor as to Senate Bill 666, having received the required  
27. constitutional majority vote of Senators elected are declared  
28. accepted. 732, Senator Berning. On the Order of Specific  
29. Recommendations for Change, bottom of page 8, is Senate Bill 732.  
30. Read the motion, Mr. Secretary.

31. SECRETARY:

32. I move to accept the Specific Recommendations of the Governor  
33. as to Senate Bill 732 in the manner and form as follows. Signed,  
Senator Berning.

1. PRESIDENT:

2. Senator Berning.

3. SENATOR BERNING:

4. Thank you, Mr. President. First I want to acknowledge the  
5. advice of Senator Savickas, pointing out a conflict between this  
6. bill and another one which had been introduced and has been  
7. signed by...passed and signed by the Governor, introduced by  
8. Senator Wooten. We have now, by agreement with the Governor's  
9. Office, made the effective date of this bill, 732, to conform with  
10. Senate Bill 1287. Other than that, the bill itself is a county  
11. problem or a County Treasurers' Association bill making some  
12. desirable changes in the Mobile Home Act and for one thing,  
13. changing the designation of a Privilege Tax to a Mobile Home Local  
14. Services Tax Act. I would respectfully request approval of the  
15. Amendatory Veto Changes for Specific Change by the Governor and  
16. if there are any questions, I'll attempt to answer them.

17. PRESIDENT:

18. Any discussion? If not, the question is shall the Senate  
19. accept the Specific Recommendations of the Governor as to Senate  
20. Bill 732 in the manner and form just stated by Senator Berning.  
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 54. The Nays are  
24. none. None Voting Present. The Specific Recommendations of the  
25. Governor as to Senate Bill 732, having received the required  
26. constitutional majority vote of Senators elected are declared  
27. accepted. 800, Senator Rhoads. On the Order of Specific Recom-  
28. mendations for Change, bottom of page 8, Senate Bill 800. Read  
29. the motion, Mr. Secretary.

30. SECRETARY:

31. I move to accept the Specific Recommendations of the Governor  
32. as to Senate Bill 800 in the manner and form as follows. Signed,  
33. Senator Rhoads.

1. PRESIDENT:

2. Senator Rhoads.

3. SENATOR RHOADS:

4. Thank you, Mr. President and members of the Senate. This  
5. bill was originally proposed by the Long Term Debt Study Committee.  
6. It requires that the Illinois Economic and Fiscal Commission shall  
7. review the findings of long term capital plans of the various  
8. agencies and that...they shall prepare a Legislative Capital Plan  
9. Analysis. All the Governor did in his Amendatory Veto was reduce  
10. that from a five year plan down to a three year plan in order to  
11. make it consistent with other legislation which was passed by the  
12. General Assembly and I would urge a...an acceptance of his  
13. Recommendations for Change.

14. PRESIDENT:

15. Is there any discussion? If not, the question is shall the  
16. Senate accept the Specific Recommendations of the Governor as to  
17. Senate Bill 800 in the manner and form just stated by Senator  
18. Rhoads. Those in favor will vote Aye. Those opposed will vote  
19. Nay. The voting is open. Have all voted who wish? Have all  
20. voted who wish? Take the record. On that question the Ayes are  
21. 54. The Nays are none. None Voting Present. The Specific  
22. Recommendations of the Governor as to Senate Bill 800, having  
23. received the required constitutional majority vote of Senators  
24. elected are declared accepted. Senate Bill 1040, Senator Berman,  
25. you are going to handle that? On the Order of Specific Recom-  
26. mendations for Change, bottom of page 8, is Senate Bill 1040.  
27. Read the motion, Mr. Secretary.

28. SECRETARY:

29. I move that Specific Recommendations of the Governor as to  
30. Senate Bill 1040 in the manner...be...I move to accept the Specific  
31. Recommendations of the Governor as to Senate Bill 1040 in the manner  
32. and form as follows. Signed, Senator Maragos.

33. PRESIDENT:

1. All right. With leave of the Body, Senator Berman will  
2. handle this for Senator Maragos. Is leave granted? Leave is  
3. granted. Senator Berman.

4. SENATOR BERMAN:

5. Thank you, Mr. President. Ladies and Gentlemen of the Senate,  
6. this bill dealt with minimum wage for learners and the...the  
7. Governor's Amendatory Veto addressed a error in the bill that  
8. made a distinction between over and under eighteen year employees.  
9. It created an anomaly as the bill was passed, whereby you could pay  
10. a learner's wage to persons under eighteen, but you couldn't do  
11. it to persons over eighteen. This amendatory language was  
12. requested and is in keeping with the original intent of the bill.  
13. I ask for the adoption of the Amendatory Veto language.

14. PRESIDENT:

15. Any discussion? Senator Keats.

16. SENATOR KEATS:

17. Mr. President, Ladies and Gentlemen of the Senate, this had  
18. been a labor and commerce bill and despite the touchy subject, with  
19. the work done, it actually is a very acceptable bill and I do  
20. intend to vote to accept the Governor's recommendations.

21. PRESIDENT:

22. The question is shall the Senate accept the Specific Recom-  
23. mendations of the Governor as to Senate Bill 1040 in the manner and  
24. form just stated by Senator Berman. Those in favor will vote Aye.  
25. Those opposed will vote Nay. The voting is open. Have all voted who  
26. wish? Have all voted who wish? Take the record. On that question  
27. the Ayes are 50. The Nays are 2. None Voting Present. The  
28. Specific Recommendations of the Governor as to Senate Bill 1040,  
29. having received the required constitutional majority vote of Senators  
30. elected are declared accepted. Senate Bill 1396, Senator McMillan.  
31. On the top of page 9 under Specific Recommendations for Change,  
32. Senate Bill 1396. Read the motion, Mr. Secretary.

33. SECRETARY:

1. I move to accept the Specific Recommendations of the  
2. Governor as to Senate Bill 1396 in the manner and form as follows.  
3. Signed, Senator Maragos.

4. PRESIDENT:

5. All right. With leave of the Body, Senator McMillan will  
6. handle that for Senator Maragos. Is leave granted? Leave is  
7. granted. Senator McMillan.

8. SENATOR McMILLAN:

9. Senate Bill 1396 passed out of the Senate with no opposition  
10. and the bill was one which provided funds to defray the cost of  
11. implementation of the consolidation of elections. The Governor's  
12. Amendatory Veto really corrected an error that was in the bill.  
13. The bill appropriated the funds to the Comptroller. That was  
14. incorrect and it should have been, as the Governor suggested,  
15. appropriated to the State Board of Elections and I would urge a  
16. favorable roll call on Senator Maragos' motion.

17. PRESIDENT:

18. Any discussion? If not, the question is shall the Senate  
19. accept the Specific Recommendations of the Governor as to Senate  
20. Bill 1396 in the manner and form just stated by Senator McMillan.  
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 54. The Nays are  
24. none. None Voting Present. The Specific Recommendations of the  
25. Governor as to Senate Bill 1396, having received the required  
26. constitutional majority vote of Senators elected, are declared  
27. accepted. All right. If you'll now turn back to page 7, with  
28. respect to Specific Recommendations for Change, there's been a  
29. motion filed on Senate Bill 48, Senator Lemke, Senate Bill 176,  
30. Senator Sangmeister. Senator Sangmeister.

31. SENATOR SANGMEISTER:

32. Yes, Mr. President and members of the Senate, this is the  
33. same bill that we had before so at this point the motion is to

1. withdraw the motion override.

2. PRESIDENT:

3. ...withdraw your motion...That motion is in order. Resolutions.

4. SECRETARY:

5. Senate Resolution 286 offered by Senators Collins, Washington,  
6. Newhouse and Chew. It's congratulatory. Senate Resolution 287  
7. offered by Senator Berning. It's congratulatory. Senate Resolution  
8. 288 offered by Senators Egan, Rock and all members and it's con-  
9. gratulatory. Senate Resolution 289 offered by Senator Demuzio and  
10. all Senators and it's congratulatory.

11. PRESIDENT:

12. Consent Calendar. Senator Berning, for what purpose do you  
13. rise?

14. SENATOR BERNING:

15. Mr. President, if it is in order, I would request going back  
16. to page 3, Total Vetoes, and take Senate Bill 250.

17. PRESIDENT:

18. Well, that's what Senator Shapiro and I were just discussing.  
19. There are...how many motions are yet remaining, Mr. Secretary?  
20. The question being, should we go back and start over and...Senator  
21. Shapiro, would you like to confer with your leadership and Senator  
22. Donnewald and see what...what the pleasure of the Body is? Should  
23. we keep going or should we stop? Fifteen additional motions are  
24. pending...sixteen. It appears that the consensus is that we are  
25. better advised to come back at 9:30 in the morning when everyone is  
26. fresh. The reason we decided to start at 9:30 tomorrow is, hopefully,  
27. if we move as...anywhere near as rapidly as we did today, we should  
28. be able to wind it up by noon or at least we're hopeful. Resolutions.

29. SECRETARY:

30. Senate Resolution 290 offered by Senator McLendon, Rock and  
31. all Senators and it's a Death Resolution.

32. PRESIDENT:

33. Consent Calendar. Messages from the House.

1. SECRETARY:

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

3. Mr. President - I am directed to inform the Senate the House  
4. of Representatives has adopted the following Joint Resolution in  
5. the adoption of which I am instructed to ask concurrence of the  
6. Senate, to wit:

7. House Joint Resolution 65.

8. It's a congratulatory resolution. Senator Weaver is handling it.

9. PRESIDENT:

10. Senator Weaver. Senator Weaver...leave to suspend the rules  
11. and have that placed on the Consent Calendar. Is leave granted?  
12. Leave is granted. Consent Calendar.

13. SECRETARY:

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

15. Mr. President - I am directed to inform the Senate the House  
16. of Representatives has adopted the following Joint Resolution in the  
17. adoption of which I am instructed to ask concurrence of the Senate,  
18. to wit:

19. House Joint Resolution 66.

20. PRESIDENT:

21. Executive. All right. Is there any further business to come before  
22. the Senate? Further business...any announcements? If not,  
23. Senator Donnewald moves that the Senate stand adjourned until  
24. Thursday, October 18, at the hour of 9:30 A. M. I would urge all  
25. the members to be prompt so that we can move with dispatch and get  
26. back where we belong. 9:30 A. M. Senate stands adjourned.

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