

81ST GENERAL ASSEMBLY

REGULAR SESSION

OCTOBER 30, 1979

1. PRESIDENT:

2. The hour of twelve having arrived the Senate will please
3. come to order. Will our guests in the gallery please rise.
4. Invocation this afternoon by Reverend Robert Florence, Lakeside
5. Christian Church, Springfield, Illinois. Reverend.

6. REVEREND ROBERT FLORENCE:

7. (prayer by Reverend Robert Florence)

8. PRESIDENT:

9. Thank you, Reverend. Reading of the Journal. Senator Johns.

10. SENATOR JOHNS:

11. Mr. President, I move that reading and approval of the Journals
12. of Tuesday, October the 16th, Wednesday, October the 17th, and
13. Thursday, October the 18th, in the year 1979, be postponed pending
14. arrival of the printed Journals.

15. PRESIDENT:

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

18. SECRETARY:

19. Senate Resolution 295, offered by Senator Hall, and all Senators,
20. and it's congratulatory.

21. PRESIDENT:

22. Consent Calendar. Gentlemen and Ladies of the Senate. If
23. the Chair might suggest that if you have motions to be filed with
24. respect to any of the House bills and messages that came across,
25. if you could file them as soon as possible we will ask that the
26. Secretary prepare a list for distribution to the membership. I
27. think it's a little easier to follow a list than it is to follow
28. the Calendar. If we can get those in, that list will be prepared
29. so that when we return we can get to work. Senator Weaver for
30. what purpose do you arise?

31. SENATOR WEAVER:

32. Thank you, Mr. President. I understand we're going to recess
33. for a bit. I just want to announce there'll be a Republican caucus

1. in Senator Shapiro's office immediately after recess.

2. PRESIDENT:

3. All right, in order to have...Senator Savickas for what
4. purpose do you arise?

5. SENATOR SAVICKAS:

6. I'd just like the record to show that Senator Daley is
7. absent due to illness in the family.

8. PRESIDENT:

9. The record will so reflect. All right, if we could just
10. ask the membership to file if they can whatever motions they
11. wish to repair, and get them to the Secretary. When we return
12. after the recess the Secretary will have available for all the
13. members a list of the motions to be considered during this
14. three day period. Resolutions.

15. SECRETARY:

16. Senate Resolution 296, offered by Senator Savickas, Lemke,
17. Daley, Nash, D'Arco, Nedza, Nega, and Jeremiah Joyce, it's
18. congratulatory.

19. Senate Resolution 297, offered by the same sponsors, and
20. it's congratulatory.

21. PRESIDENT:

22. Consent Calendar. All right, there's been a request for a
23. Republican caucus in Senator Shapiro's office immediately. That
24. request is, of course, in order, so the Senate will stand in recess until
25. the hour of 2:00 o'clock. If any of the members have motions to be
26. filed I wish they would get them to the Secretary so that they
27. can be properly recorded and journalized, and the list be prepared.
28. The Senate will stand in recess until the hour of 2:00 o'clock.

29.

RECESS

30.

AFTER RECESS

31.

PRESIDENT:

32.

33. Senate will come to order. All right, top of page 2 on

1. the Calendar, Senator Moore, 2nd bill, 2nd reading. On the
2. Order of Senate Bill 2nd readings, Senate Bill 1441. Read the
3. bill, Mr. Secretary.

4. SECRETARY:

5. Senate Bill 1441.

6. (Secretary reads title of bill)

7. 2nd reading of the bill. No committee amendments.

8. PRESIDENT:

9. Any amendments from the Floor?

10. SECRETARY:

11. No Floor amendments.

12. PRESIDENT:

13. 3rd reading. Resolutions.

14. SECRETARY:

15. Senate Resolution 298, offered by Senator Sangmeister,
16. it's congratulatory.

17. Senate Resolution 299, offered by Senator Sangmeister,
18. and it's congratulatory.

19. Senate Resolution 300, offered by Senators Rock, Donnewald,
20. Shapiro, and all members, and it's a death resolution.

21. PRESIDENT:

22. Consent Calendar. All right, Ladies and Gentlemen, we have
23. a committee scheduled to commence at 4:00 o'clock, or as soon
24. around there as possible. My suggestion is, that we just start
25. at the top, you have been provided I'm told, by the Secretary's
26. Office, with a list of motions that have been filed as of about
27. 1:30 this afternoon. We will just begin at the top and go
28. straight through. All right, if you'll turn to page 4 on the
29. Calendar, on the Override of Total Vetoes, motions filed with
30. respect to House Bill 150, Senator Schaffer.

31. SENATOR SCHAFFER:

32. Mr. President, and members of the Senate. House Bill 150
33. for those of you who don't have computer minds, dealt with man-
dating course work...

1. PRESIDENT:
2. Wait a minute, Senator, hold it just so we all know what
3. we're doing here. All right, on the Order of Total Vetoes, page
4. 4 on the Calendar, is a motion filed with respect to House
5. Bill 150. Read the motion, Mr. Secretary.
6. SECRETARY:
7. I move that House Bill 150 Do Pass, the veto of the Governor
8. to the contrary notwithstanding. Signed, Senator Schaffer.
9. PRESIDENT:
10. All right, Senator Schaffer.
11. SENATOR SCHAFFER:
12. House Bill 150 simply required that before a teacher could
13. be certified in this State, that they had to have course work
14. in identifying children with learning disabilities. The
15. Governor inadvertantly vetoed this bill, because there was a
16. home rule exemption for the City of Chicago. I'm reliably
17. informed, and believe my Minority Leader will confirm that the
18. Governor has shifted his position, and now does not, in fact,
19. oppose an override vote on this bill.
20. PRESIDENT:
21. Is there any discussion? Senator Berman.
22. SENATOR BERMAN:
23. This is one of Schaffer's good bills, I support the over-
24. ride motion.
25. PRESIDENT:
26. Any further discussion? Senator Wooten.
27. SENATOR WOOTEN:
28. If the sponsor would just refresh my memory on this, the
29. bill now specifies that they simply have to have some material
30. in this, not a separate course. We are not requiring a separate
31. course in this subject, is that correct?
32. PRESIDENT:
33. Senator Schaffer.

1. SENATOR SCHAFFER:

2. It...the requirement is simply for course work. It could
3. be several days in any one...any of the existing courses, it's
4. just the thought that everybody who gets a certificate should
5. be able to have some background in indentifying problem children.

6. PRESIDENT:

7. Further discussion? If not, the question is, shall House
8. Bill 150 pass the veto of the Governor to the contrary not-
9. withstanding. Those in favor will vote Aye. Those opposed
10. will vote Nay. The voting is open. Have all voted who wish?
11. Have all voted who wish? Take the record. On that question,
12. the Ayes are 48, the Nays are none. None Voting Present. House
13. Bill 150, having received the required three-fifths vote is de-
14. clared passed, the veto of the Governor to the contrary notwith-
15. standing. Top of page 5, House Bill 233, Senator Schaffer.
16. All right, on the Order of Total Vetoes, top of page 5 on the
17. Calendar, there's a motion filed with respect to House Bill 233.
18. Read the motion, Mr. Secretary.

19. SECRETARY:

20. I move that House Bill 233 Do Pass the veto of the Governor
21. to the contrary notwithstanding. Signed, Senator Schaffer.

22. PRESIDENT:

23. Senator Schaffer:

24. SENATOR SCHAFFER:

25. Mr. President, this bill is one I think we probably..most
26. of us recall. It simply says that EPA...permit does not supersede
27. local zoning for gravel pits. There was a court decision in
28. northern Illinois, that said that if a gravel pit operator got
29. an EPA permit, they could jolly well operate that gravel pit
30. no matter what the local zoning ordinance required, municipal,
31. or city. I don't think any of us ever envisioned that the
32. EPA would, in fact, be a zoning body. I don't think we want
33. the EPA picking sites for gravel pits or land fills or anything
else. The Governor vetoed this bill on the basis of at least

1. the written basis, of the idea that it should be the same
2. for gravel and coal. Well, my friends on the other side
3. that are familiar with coal, on this side too, know that
4. we've never really put gravel and coal together, and I
5. don't think either industry wants us to do that. I would
6. also suggest to you that I don't believe that the Governor
7. feels that EPA permits should supersede local zoning. If
8. we do not override this veto, we are in effect saying that
9. the EPA should get into the zoning business, something
10. that Director Mauzy , I do not believe wants to do. There's
11. more considerations than just the EPA's when you locate a
12. facility like a gravel pit. I'd be happy to answer any
13. questions, and would appreciate a favorable vote on this
14. override.

15. PRESIDENT:

16. Is there any discussion? Senator McMillan.

17. SENATOR MCMILLAN:

18. Mr. President, and members of the Senate. I can't
19. argue with most of what Senator Schaffer has said, but I
20. happen to be in an area in which the strip mines encroach
21. daily, and in which quite recently they flaunted the right
22. that they believe they have to strip prime agricultural
23. land for instance when they have not yet proved that they
24. can reclaim that to anyway near its productive state, and
25. even though we have not in the past perhaps combined strip
26. mining and other types of stripping of land, frankly from
27. the standpoint of where you live and from the standpoint
28. of...of where you might work, or the standpoint of where you
29. might enjoy the land which was created, it doesn't really
30. make any difference whether it's for coal or for gravel or
31. for anything else, and I frankly think in the long run what
32. we need is a law that would allow local zoning and local authorities
33. to set some rules with regard to both, and I'm afraid if we
enact this which just takes care of it for rock quarries and

1. other things, we'll lose some of the support that's necessary
2. to really get a strong law, that would also apply to strip
3. mining for coal. So, I would oppose it, in hopes that we
4. could come back with a comprehensive law that would really
5. provide for a great deal more order in deciding which land we're
6. going to tear up and destroy, and which land we're not.

7. PRESIDENT:

8. Further discussion? Senator Geo-Karis.

9. SENATOR GEO-KARIS:

10. Mr. President, and Ladies and Gentlemen of the Senate.
11. I support this...the override of this bill completely, because
12. the...the case of Carlson versus the Village of Worth, the EPA
13. could preempt even home rule areas. I think this is a bill
14. in the right direction, I don't think the EPA has any business
15. zoning or interfering with the zoning of a local area, and
16. I certainly concur with the sponsor of this bill, and support
17. it very wholeheartedly.

18. PRESIDENT:

19. Further discussion? Senator Savickas.

20. SENATOR SAVICKAS:

21. Yes, Mr. President, and members of the Senate. Senator
22. Schaffer could you pull this out of the record, and get back
23. to this tomorrow? I'd like to talk to you about it.

24. PRESIDENT:

25. Senator Schaffer.

26. SENATOR SCHAFFER:

27. I'm always willing to talk.

28. PRESIDENT:

29. All right, take it out of the record, Mr. Secretary. 292,
30. Senator Lemke. 316, Senator Bloom. On the Order of Total
31. Vetoes, top of page 5, there's a motion filed with respect to
32. House Bill 316. Read the motion, Mr. Secretary.

33. SECRETARY:

1. I move that Senate Bill...or House Bill 316 Do Pass, the
2. veto of the Governor to the contrary notwithstanding. Signed,
3. Senator Bloom.

4. PRESIDENT:

5. Senator Bloom.

6. SENATOR BLOOM:

7. Thank you, Mr. Senator...or Mr. President, and fellow Senators.
8. As you know 316 has been before you before. Basically this bill
9. provides that where there are local improvements that the State
10. if it has property, pay its proportionate share. Senator Bruce,
11. offered the amendment tightening it down to abutting property.
12. The basic ...you've heard all the arguments for it. I'd try
13. and answer any questions, and I would ask for a favorable roll
14. call. I...I think that those of us who have communities in our
15. districts where the State has property that abuts on roads and
16. streets that are improved should be able to have the State pay
17. its fair share of that improvement.

18. PRESIDENT:

19. Is there any discussion? If not, the question is, shall
20. House Bill 316 pass, the veto of the Governor to the contrary
21. notwithstanding. Those in favor will vote Aye. Those opposed
22. will vote Nay. The voting is open. Have all voted who wish?
23. Have all voted who wish? Take the record. On that question,
24. the Ayes are 35, the Nays are 11. None Voting Present. The
25. motion fails. The sponsor has requested that further consideration
26. be postponed. So ordered. 326, Senator Washington. 420,
27. Senator Lemke. 450, Senator Schaffer. 450. Page 5 on the
28. Calendar, there's a motion filed with respect to House Bill 450.
29. Read the motion, Mr. Secretary.

30. SECRETARY:

31. I move that House Bill 450 Do Pass, the veto of the Governor
32. to the contrary notwithstanding. Signed, Senator Schaffer.

33. PRESIDENT:

Senator Schaffer.

1. SENATOR SCHAFFER:

2. I am diligently trying to respond to President Rock's
3. request that we try and get as much done today as possible.
4. This is a bill that I think again most of us are familiar with.
5. It simply shifts the cost of general assistance, Medicaid, and
6. the local township to the State department of Public Aid, and
7. in all candor there are fiscal implications. I believe the
8. Governor's figure, I think was seventeen million dollars a
9. year. Simply put I don't think that this is a burden that the
10. local townships can, in fact, are capable of handling. Most
11. of them do not levy for general assistance on a regular basis,
12. and when they do have an emergency, particularly from someone
13. who lives in the State, but doesn't happen to reside in their
14. own township, many times they are caught behind the eight ball.
15. In the Spring there was some division in the townships, because
16. most of them had successfully hidden behind, what is commonly
17. called the five day rule, which meant that if the person runs
18. up the bill and doesn't let you know within five days you don't
19. have to honor it. I believe the courts have now stricken that,
20. and the townships are now, I think thoroughly unified, that...behind
21. this bill, and I believe it got 55 votes when it left here in the
22. Spring, and I'd like to see how close we can come to reenacting
23. that.

24. PRESIDING OFFICER: (SENATOR SAVICKAS)

25. Is there further discussion? If not, the question is, shall
26. House Bill 450 pass, the veto of the Governor to the contrary not-
27. withstanding. Those in favor vote Aye. Those opposed vote Nay.
28. The voting is open. Have all voted who wish? Have all voted who
29. wish? Take the record. On that question, the Ayes are 40,
30. the Nays are 6. 2 Voting Present. House Bill 450, having received
31. the required three-fifths vote is declared passed, the veto of
32. the Governor to the contrary notwithstanding. House Bill 944,
33. Senator D'Arco. For what purpose does Senator Newhouse arise?

1. SENATOR NEWHOUSE:

2. My switch was inadvertantly put on a...Nay vote on that
3. last bill. For the record I'd like to clarify that it should
4. have been a Yes.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. The record will so indicate. House Bill 944, Senator
7. D'Arco. House Bill 1784, Senator Vadalabene. Read the
8. motion, Mr. Secretary.

9. SECRETARY:

10. I move that House Bill 1784 Do Pass, the veto of the Governor
11. to the contrary notwithstanding. Signed, Senator Vadalabene.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Vadalabene.

14. SENATOR VADALABENE:

15. Yes, House Bill 1784, is designed to authorize a State's,
16. Attorney to act upon requests as a legal representative of
17. the regional superintendent of schools. Several regional
18. superintendents have indicated that it is difficult to
19. determine which State's Attorney is to be consulted when legal
20. issues arise, especially in a multi-county, educational service
21. region. During the Regular Session, a bill passed out of here
22. 56 to nothing, and last week in the Override Session in the
23. House, it passed out of the House 120 to 7, and five absent,
24. and I would appreciate a favorable vote.

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Is there further discussion? If not, the question is, shall
27. House Bill 1784 pass, the veto of the Governor to the contrary
28. notwithstanding. Those in favor vote Aye. Those opposed vote
29. Nay. The voting is open. Have all voted who wish? Have all
30. voted who wish? Have all voted who wish? Take the record. On
31. that question, the Yeas are 39, the Nays are 10. None Voting
32. Present. House Bill 1784, having received the required three-
33. fifths vote is declared passed, the veto of the Governor to the
contrary notwithstanding. House Bill 2146, Senator Joyce. House

13-5-49
2-11-49
3-2-49

1. Bill 2192, Senator Nedza. House Bill 2440, Senator Nash.
2. Our next order of business, will be the Override Item Vetoes,
3. on page 27. I'm sorry, House Bill 2649, Senator Rock.
4. Read...read the motion, Mr. Secretary.

5. SECRETARY:

6. I move that the item on page 27, line 5, of House Bill
7. 2649 Do Pass, the Item Veto of the Governor to the contrary
8. notwithstanding. Signed, Senator Rock.

9. PRESIDING OFFICER: (SENATOR SAVICKAS)

10. Senator Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President, and Ladies and Gentlemen of
13. the Senate. You will recall that House Bill 2649 contained
14. the FY'S0 appropriations to the State Board of Education,
15. particularly in the area of categorical and other grants.
16. Now, these next series of motions that have been filed have
17. have, in fact, been recommended by the State Board of Education,
18. because they concern themselves with reimbursement type items
19. for the area of Special Education. This one is a little different,
20. this is a straight veto, it will require 36 affirmative votes
21. and it concerns itself with five hundred and seventy-eight thousand
22. dollars, that the committee, the Education and Appropriations
23. Committee, in both Houses thought was a fair and equitable
24. solution to a problem that exists, frankly up near the area of
25. Joliet, and I would yield to Senator Sangmeister. I intend to
26. support this motion, I filed the motion, and I would urge support
27. from all the members, particularly on this side of the aisle.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Senator Sangmeister.

30. SENATOR SANGMEISTER:

31. Thank you, Mr. President, and members of the Senate. This
32. bill is very important on this item, to a school district, of course,
33. in my legislative district, which encompasses the Stateville

1. Penitentiary. Cresthill District, number 88, has over half
2. of its geography made of Stateville, and is entitled under
3. the law, having met all the criteria of the law, including
4. certificate of assessment by the Lockport township assessor,
5. and the Will County Clerk. I wish to bring to your attention
6. that the amendment to provide the grant was drafted by...
7. IOE, after protracted negotiations determining the validity
8. of the amount. The grant of five hundred and seventy-eight
9. thousand is offset by the loss of over four hundred thousand
10. in distributive aid, that would be paid to district number
11. 88, under the Resource Equalizer Formula, in other words
12. district 88 will have to switch to the Strayer-Haig
13. and go off the Equalizer Formula, to take advantage of the
14. grant for a net gain to the district in the neighborhood
15. of a hundred and seventy thousand dollars. This is terribly
16. important. I don't understand why the Governor did take the
17. position that he did on this. This school district is desperately
18. strapped for funds, as I admit most school districts are, but
19. I would appreciate as a personal favor that the override motion
20. be granted, and I'm very appreciative of Senator Rock filing
21. the motion, and ask for your support.

22. PRESIDING OFFICER: (SENATOR SAVICKAS)

23. Is there further discussion? If not, the question is, shall
24. the item on page 27, line 5, of House Bill 2649 pass, the Item
25. of...the Item Veto of the Governor to the contrary notwithstanding.
26. Those in favor vote Aye. Those opposed vote Nay. The voting
27. is open. Have all voted who wish? Have all voted who wish?
28. Have all voted who wish? Take the record. On that question,
29. ...Senator Sangmeister requests postponed consideration on House
30. Bill 2649. Senator Rock concurs in that motion. On the Order
31. to Override Item Reductions. House Bill 2649, Senator Rock.
32. On the Order to accept Specific Recommendations for Change.
33. House Bill 142, Senator Martin. House...read the motion, Mr.
Secretary.

1. SECRETARY:

2. I move to accept the Specific Recommendations of the
3. Governor as to House Bill 142 in the manner and form as
4. follows. Signed, Senator Martin.

5. PRESIDING OFFICER: (SENATOR SAVICKAS)

6. Senator Martin.

7. SENATOR MARTIN:

8. Yes, this is the bill that allows the Department of Transportation
9. to buy standing row crops, and there was a date error when the
10. counties and townships were added permissively to the bill.
11. This brings the bill into align and I would ask your support
12. for accepting the Governor's correction.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Is there further discussion? If not, the question is, shall
15. House Bill 142 pass, the Specific Recommendations of the Governor
16. to the contrary notwithstanding. Those in favor vote Aye.
17. Those opposed vote Nay. The question is, shall the Senate
18. accept the Specific Recommendations of the Governor as to House
19. Bill 142. For what purpose does Senator Buzbee arise?

20. SENATOR BUZBEE:

21. A question of the sponsor. I concur and agree, and voted
22. for this bill in the past. I agree with the concept, but my
23. question is, what price are we going to be paying for those
24. standing row crops?

25. PRESIDING OFFICER: (SENATOR SAVICKAS)

26. Senator Martin.

27. SENATOR MARTIN:

28. Just as the original bill, the September futures price, and
29. all the correction did, was when the bill was amended there was
30. a difference in the month added for township and counties. That
31. ...that was a November date, and when they...they missed one line
32. of making the shift to September, and that's all this does. This
33. is exactly the same as the original bill, except correct this one
error, where they wrote November instead of September.

1. PRESIDING OFFICER: (SENATOR SAVICKAS)

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. I'm...I'm wondering, when you talk about standing row crops,
5. are you also talking about soy beans as well as corn?

6. PRESIDING OFFICER: (SENATOR SAVICKAS)

7. Senator Martin.

8. SENATOR MARTIN:

9. The original intent is mainly for corn, and standing row
10. crops, I suppose you could still suggest that soy beans tall
11. enough could be considered. I would remind you Senator, that
12. it is permissive and they're not going to go out behind two
13. inch rows. It's exactly the same bill, Senator Buzbee that
14. you voted for.

15. PRESIDING OFFICER: (SENATOR SAVICKAS)

16. Senator Buzbee.

17. SENATOR BUZBEE:

18. Well, I'd just like to point out, that because you have
19. used the September futures market price, I have been told
20. by my broker, Senator Bruce, that the September futures price
21. on soy beans today is seven dollars and some odd...fifty odd
22. cents, whereas if we were paying current prices, today's prices,
23. they're about five dollars and a half for soy beans, and so we're
24. ...we, in fact, are giving those folks a two dollar a bushel
25. ...two dollar a bushel add on, other than...than what they...
26. then what today's current market price is.

27. PRESIDING OFFICER: (SENATOR SAVICKAS)

28. Is there further discussion? If not, Senator Martin may
29. close debate.

30. SENATOR MARTIN:

31. I would just say that the market is going to change, and maybe
32. next September it will be four dollars lower than the current
33. price. The point is you have to have a base price. It was
September throughout the whole bill, except there was an error

1. made in one line, and the word November was put in. This
2. makes the change so that the bill is complete. That's all it
3. does, and I find it difficult to understand why there are
4. problems. Those of you that like to go on your roads in the
5. winter, I think you might find that this might be a very good
6. bill.

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. The question is, shall the Senate accept the Specific
9. Recommendations of the Governor as to House Bill 142 in the
10. manner and form just stated by Senator Martin. Those in
11. favor vote Aye. Those opposed vote Nay. The voting is open.
12. Have all voted who wish? Have all voted who wish? Take the
13. record. On that question, the Ayes are 50, the Nays are none.
14. Those Voting Present are 1. The Specific Recommendations of
15. the Governor as to House Bill 142, having received the required
16. majority vote of the Senators elected are declared accepted.
17. House Bill 203, Senator Vadalabene. Read the motion, Mr.
18. Secretary.

19. SECRETARY:

20. I move to accept the Specific Recommendations of the
21. Governor as to House Bill 203 in the manner and form as follows.
22. Signed, Senator Vadalabene.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Senator Vadalabene.

25. SENATOR VADALABENE:

26. Yes, in the acceptance of the Governor's Recommendation of
27. House Bill 203, would mean that the 911 system would be mandated
28. only in those counties with population in excess of a hundred
29. thousand, by 1970 census. The following counties of which there
30. are about ten or twelve would be affected. This change in the
31. 1911 Act, is consistent with the changes being made, I think it
32. was in Senator...Senate Bill 65, Jerry Joyce's bill, which
33. was amendatory veto. The override in the House was a 123 to
17, and I move to accept the Specific Recommendations of the

1. Governor as to House Bill 203.

2. PRESIDING OFFICER: (SENATOR SAVICKAS)

3. Is there further discussion? If not, the question is, shall
4. the Senate accept the Specific Recommendations of the Governor
5. as to House Bill 203, in the manner and form just stated by
6. Senator Vadalabene. Those in favor vote Aye. Those opposed
7. vote Nay. The voting is open. Have all voted who wish?
8. Have all voted who wish? Take the record. On that question,
9. the Ayes are 49, the Nays are none. None Voting Present.
10. The Specific Recommendations of the Governor as to House Bill
11. 203, having received the required constitutional majority vote
12. of Senators elected are declared accepted. House Bill 204,
13. Senator Vadalabene. Read the motion, Mr. Secretary.

14. SECRETARY:

15. I move to accept the Specific Recommendations of the Governor
16. as to House Bill 204 in the manner and form as follows. Signed,
17. Senator Vadalabene.

18. PRESIDING OFFICER: (SENATOR SAVICKAS)

19. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Yes, House Bill 204 mandates a public agency which implements
22. a 911 emergency telephone system to provide a secondary back
23. up number. The Governor's action on this one specifies that
24. the back up number digit is to be a seven digit number and not
25. another special three digit number. The secondary back up number
26. shall be required only...for only the first six months after the
27. system is established, and I move the recommendation of the Governor
28. be established.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Is there further discussion? If not, the question is, shall
31. the Senate accept the Specific Recommendations of the Governor
32. as to House Bill 204 in the manner and form just stated by
33. Senator Vadalabene. Those in favor vote Aye. Those opposed
vote Nay. The voting is open. Have all voted who wish? Have

1. all voted who wish? Take the record. On that question, the
2. Ayes are 51...52, the Nays are none. None Voting Present.
3. The Specific Recommendations of the Governor as to House Bill
4. 204, having received the required constitutional majority
5. vote of the Senators elected are declared accepted. House
6. Bill 339, Senator Nash. House Bill 472, Senator Bloom.
7. House Bill 493, Senator Nash. House Bill 516, Senator Vadalabene.
8. Read...read the motion, Mr. Secretary.

9. SECRETARY:

10. I move to accept the Specific Recommendations of the Governor
11. as to House Bill 516 in the manner and form as follows. Signed,
12. Senator Vadalabene.

13. PRESIDING OFFICER: (SENATOR SAVICKAS)

14. Senator Vadalabene.

15. SENATOR VADALABENE:

16. Yes, thank you, Mr. President, and members of the Senate.
17. House Bill 516 amends the Game Code to authorize the use of
18. lead and steel shotgun pellets in hunting water fowl, except
19. at sites designated by the Department of Conservation. The
20. Governor's Amendatory Veto, the Governor added an automatic
21. repealer for January 1, 1982, the Governor's rationale at that
22. time was that the current time...Federal regulations prohibit
23. the use of lead shot, and would preempt the provisions of
24. House Bill 516. Those regulations could be changed any time,
25. however the Governor feels Illinois should implement a trial
26. period, if Federal actions allow, so he has provided an effective
27. date which will legalize the use of lead shot for three fall
28. hunting seasons, and I would move to sustain the Governor's
29. Amendatory Veto.

30. PRESIDING OFFICER: (SENATOR SAVICKAS)

31. Is there further discussion? If not, the question is, shall
32. the Senate accept the Specific Recommendations of the Governor
33. as to House Bill 516 in the manner and form just stated by Senator
Vadalabene. Those in favor vote Aye. Those opposed vote Nay.

1. The voting is open. Have all voted who wish? Have all voted
2. who wish? Take the record. On that question, the Ayes are
3. 47, the Nays are none. Those Voting Present are none. The
4. Specific Recommendations of the Governor as to House Bill 516,
5. having received the required constitutional majority vote
6. of the Senators elected are declared accepted. House Bill
7. 472, Senator Bloom. Read the motion, Mr. Secretary.

8. SECRETARY:

9. I...excuse me...I move to accept the Specific Recommendations of
10. the Governor as to House Bill 472 in the manner and form as follows.
11. Signed, Senator Vadalabene...I mean, Senator Bloom.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Bloom.

14. SENATOR BLOOM:

15. Thank you, Mr. President, and fellow Senators. As you
16. know this is an attempt on the part of the General Assembly to
17. assist first time home buyers in getting mortgages, and the
18. Governor made some changes basically that said when the unusual
19. conditions that are prevalent today, as a result of our crazy
20. Federal monetary policies, somehow stabilize and get back to
21. normal that this particular program would be tied to the
22. conditions we find ourselves in today, and then would not in
23. any way impact on the loan to lender situation. I would
24. appreciate a roll call, and I'll try and answer any questions
25. you may have.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. Is there any further discussion? If not, the question is,
28. shall the Senate accept the Specific Recommendations of the
29. Governor as to House Bill 472 in the manner and form just stated
30. by Senator Bloom. Those in favor vote Aye. Those opposed vote
31. Nay. The voting is open. Have all voted who wish? Have all
32. voted who wish? Take the record. On that question, the Ayes
33. are 46, the Nays are 3. 2 Voting Present. The Specific Recommendations
of the Governor as to House Bill 472, having received the

AB 2012
Amend Vetos
10-30-77

1. required constitutional majority vote of Senators elected are
2. declared accepted. House Bill 662, Senator Jeremiah Joyce.
3. House Bill 700, Senator Bruce. For what purpose does Senator
4. Bruce arise?

5. SENATOR BRUCE:

6. I...I have two motions, one on House Bill 700, and one
7. on House Bill 2012, both those bills deal with exactly the
8. same subject areas, pensions, and both them only change the
9. effective date. I wonder if I might have leave to consider
10. those both? I think it might speed along the process a little.

11. PRESIDING OFFICER: (SENATOR SAVICKAS)

12. You've heard the motion, is leave granted? Leave is granted.

13. SECRETARY:

14. I move to accept the Specific Recommendations of the
15. Governor as to House Bills 700 and 2012 in the mannner and
16. form as follows. Signed, Senator Bruce.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Senator Bruce.

19. SENATOR BRUCE:

20. Thank you, Mr. President, and members of the Senate. House
21. Bill 700 and House Bill 2012 are the bills that we dealt with
22. last year on the State picking up the contribution for an
23. employees, seven hundred is the State Universitys' Retirement
24. System. House Bill 2012 are all the other systems, in both
25. bills the Governor made only one change and that was to set the
26. effective date back one year from January 1st, 1980, to January
27. 1st of 1981. All the systems have agreed, the bill passed out of
28. the House substantially 150 to nothing on House Bill 700, and
29. a 150 to nothing on House Bill 2012. I'd ask your favorable
30. consideration Of these two Amendatory Vetos, and accept the
31. Specific Recommendations of the Governor.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. Is there further discussion? Senator Berning.

33. SENATOR BERNNIG:

1. Thank you, Mr. President, and members of the Senate.
2. These two bills embark on an entirely new procedure within
3. our Pension Systems, and I would just like to comment
4. briefly on what I think are the adverse long range impact
5. of these two bills, and the concept contained therein.
6. Pension Systems as you all know are for the express purpose
7. of helping to meet the needs of our employees when they reach
8. retirement. The concept of a pension is that an individual
9. must make a contribution to that system, and this has been
10. historic, this is what our employees have been doing, but the
11. proposal that's contained in these two bills obviously has
12. flaws. The Governor recognizes it by extending the effective
13. date for one full year. I suggest to you that it would be
14. more appropriate for this Body to let this bill die, by refusing
15. to vote on it. We would then have a year or more to reappraise
16. the whole concept and conceivably be able to devise a more
17. realistic approach, and by that I mean, keeping the contributions
18. of employees as their responsibility, and if we then still
19. determine that it is advisable for a pick up, that the protection
20. of the employees be definitely established when it comes time
21. for those who want to retire from the system before the age
22. of retirement, and there could then be provision that there
23. would be no question as to whether they're entitled to those
24. dollars. I think right now, there is serious question that the
25. dollars contributed by the employer really belong to the employee.
26. I would suggest that this bill ought to be rejected, and we...
27. review the whole matter again, in the next legislative Session.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Is there further discussion? Senator Grotberg.

30. SENATOR GROTEBERG:

31. Question of the sponsor.

32. PRESIDING OFFICER: (SENATOR SAVICKAS)

33. He indicates he'll yield.

1. SENATOR GROTBORG:

2. Senator all we have is the Synopsis, but I notice if
3. you all have working off the same run that we are, the
4. top page 10, there seems to be an inconsistency in the Synopsis
5. of the Governor's veto, in that it goes ahead and mentions
6. the effective date change from January 1, '81, but it goes
7. on further and it reverses that, on the Survivors Insurance
8. contribution, for all earnings payments made on and after January 1st,
9. 1980, instead of January 1st, 1981. I wonder if the veto
10. message reads like that, or if it's an inconsistency in the
11. Synopsis.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Bruce.

14. SENATOR BRUCE:

15. As I understand it, it would be benefits in the 1978 Calendar
16. year. The reason the Governor changed the effective date of
17. the Statute, however, to 1981, is that the employers will be
18. preparing W2 forms in January of 1981. If in the 1980 Calendar
19. year we are able to receive a favorable IRS ruling on this
20. matter it would affect payments made in the 1980 year, and that's
21. why that one change affects the annuitant in 1980, the effective
22. date of the Statute, however, is 1981.

23. PRESIDING OFFICER: (SENATOR SAVICKAS)

24. Is there further discussion? If not, Senator Bruce
25. may close...Senator Egan.

26. SENATOR EGAN:

27. Question.

28. PRESIDING OFFICER: (SENATOR SAVICKAS)

29. Sponsor indicates he will yield.

30. SENATOR EGAN:

31. Senator Bruce, the...the whole intent here is to wait until
32. the IRS makes a ruling, and that was the principal opposition
33. to the bill to begin with. Let's wait until the IRS tells
us what their position is in the matter, and then the application

1. was made and the IRS said they wouldn't give us an opinion
2. until the bill was passed, and so as I understand it, the
3. delay in the effective date is to give the IRS an opportunity
4. having passed the bill although becoming effective after
5. their decision, and if their decision is negative the bill becomes
6. in effect negated. Isn't that the bottom line?

7. PRESIDING OFFICER: (SENATOR SAVICKAS)

8. Senator Bruce.

9. SENATOR BRUCE:

10. Well, Senator I agree with you up to the one point, and that
11. is the reason we went back to 1981, is that the Pension Systems
12. came to us and said we will be preparing W2 forms, it would
13. be a great deal more easy if this bill were passed and effective
14. on an even Calendar year basis, so that we didn't have to go
15. back and comput half years for annuitants and for present employees.
16. We agreed to move the date back to 1981, it does not change in
17. any way the effective date of the Statute practically, if any
18. time during this year we had received a favorable ruling of
19. the IRS we could have instituted the program. If you don't adopt
20. the 1981 date we will lose all of 1980. Starting in January in
21. effect since the payments are made concurrently but the W2 form
22. is made twelve months later, the bill really becomes effective
23. on 1980 payments, but the employer will not submit the W2 forms
24. on 1980 income until January of 1981. So, the bill practically
25. becomes effective just as you and I agreed when it left here in
26. June, in January of 1980, on 1980 earnings, but the employer
27. will not have to submit a W2 form reflecting that change until
28. January of '81. That's all it does.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Senator Egan.

31. SENATOR EGAN:

32. Yes, would you clarify that, please. No, as I understand it
33. Senator Bruce, the object of the bill is to take the money from
the Federal Government and return it to the contributor, namely the

1. employee, which I am in total favor of. I think it's a great
2. idea. We ought to get back, as a matter of fact, profit-sharing...
3. and revenue-sharing, in my opinion is a disgrace, however, if
4. we get a...an unfavorable ruling from the IRS this bill is of
5. no effect, and what you're doing is delaying the effective date
6. so that you don't have to withhold the money and put it in escrow,
7. isn't that correct?

8. PRESIDING OFFICER: (SENATOR SAVICKAS)

9. Senator Bruce.

10. SENATOR BRUCE:

11. Yes.

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Egan.

14. SENATOR EGAN:

15. All right, now I really don't understand Senator Berning's
16. objection, and that's really my question.

17. PRESIDING OFFICER: (SENATOR SAVICKAS)

18. Is there further discussion? If not, Senator Bruce may
19. close debate.

20. SENATOR BRUCE:

21. It's a very simple change, and that is that the General
22. Assembly in its wisdom didn't realize the fact that Income
23. Taxes are...are paid a year late, and so on 1980 income the
24. employer will actually report that in January 1981, and that is
25. what is going to be the critical date. It doesn't affect
26. our salaries at all, it just says when they turn in that form
27. to the Internal Revenue Service, how much they count as salary
28. and how much they count as employer contributions. This will
29. aid out our system, it aids every other system in the State
30. of Illinois, Bob's in favor of it, it's his amendment that changed
31. this and made it 1981. I would appreciate a favorable vote on 700,
32. and 2012 again.

33. PRESIDING OFFICER: (SENATOR SAVICKAS)

For what purpose does Senator Egan arise?

1. SENATOR EGAN:

2. Well, I...just to continue the...the question of Senator
3. Berning, are you...

4. PRESIDING OFFICER: (SENATOR SAVICKAS)

5. Senator Bruce has already closed debate on it.

6. SENATOR EGAN:

7. No, he has not, as a matter of fact. I just want to
8. clarify what Senator Berning, the objection that he raised,
9. I'm not sure that we're not on the same frequency in that
10. there is no objection, if there's still an objection I...I
11. would like it clarified. Senator Berning...

12. PRESIDING OFFICER: (SENATOR SAVICKAS)

13. Senator Berning would you clarify it?

14. SENATOR BERNING:

15. Thank you, Mr. President. I'm not quite sure I can, I think
16. the whole thing has been compounded a bit, now as explained
17. by Senator Bruce, if the effective date is January 1981, and it
18. affects 1980 salaries, I'm not so sure that the deductions are
19. going to be made during 1980, but if they are, or if they are
20. not, that leads right back to the question that I have had all
21. along. What are those contributions, whether they are deducted
22. from the salary either as employer contributions a pick up
23. or whatever you term them. Are they contributions by the
24. employer or by the employee, and if the employee severs his
25. employment, is he entitled to them or is he not? I think that's
26. part of the whole problem with these two bills, and that's the
27. reason I think they ought to be defeated, we obviously have a
28. whole year to work on them and to come back before January 1981.

29. PRESIDING OFFICER: (SENATOR SAVICKAS)

30. Well, once again, Senator Bruce, may close debate.

31. SENATOR BRUCE:

32. Well, I don't want to get anyone anymore confused then they
33. may already be. This affects every pension system, they all decided
they want to get in, and Senator Berning, to answer your question, it

1. does not affect the check that you will receive in the mail
2. one bit. As amended by Senator Egan, by Senator Merlo, and
3. you may have had an amendment on there, we have to get a
4. favorable IRS ruling. If you were getting a hundred dollars
5. a week you will continue to get a hundred dollars a week, at
6. the end of the year, if we've gotten a favorable IRS ruling,
7. and this will apply to General Assembly members also, our
8. General Assembly Retirement System and every other retirement
9. system will report how much of that was to be considered as your
10. contribution, and how much was to be considered as the systems'
11. contribution. IRS has said that you may include additional
12. compensation payments made by the system as their contribution
13. and deduct it from your current income. Now, they've done that
14. in Wisconsin, we can effectuate a salary increase and a reduction
15. in taxes for every State employee, both Federal and State this
16. year, about a two percent increase in their salary take home
17. based on 1980 income. In 1981, it's just a bookkeeping entry
18. they tell the IRS this is how much we paid John Graham in
19. salary, this is how much we contributed to his retirement
20. system, and it's a bookkeeping type entry His check will be
21. the same, my check will be the same, all it is, is they say
22. how much they contributed toward his pension, and my pension
23. and your pension, and every pension system in the State of
24. Illinois is in favor of this, including University Retirement
25. System, which this bill affects.

26. PRESIDING OFFICER: (SENATOR SAVICKAS)

27. We will take two separate roll calls, our first roll call
28. will be on House Bill 700. Now, the question is, shall the Senate
29. accept the Specific Recommendations of the Governor as to House
30. Bill 700, in the manner and form just stated by Senator Bruce.
31. Those in favor vote Aye. Those opposed vote Nay. The voting
32. is open. Have all voted who wish? Have all voted who wish?
33. Take the record. On that question, the Ayes are 40, the Nays
are 6. 2 Voting Present. The Specific Recommendations of the

1. Governor as to House Bill 700, having received the required
2. constitutional majority vote of Senators elected are declared
3. accepted. House Bill 2012. The question is, shall the Senate
4. accept the Specific Recommendations of the Governor as to House
5. Bill 2012, in the manner and form just stated by Senator
6. Bruce. Those in favor vote Aye. Those opposed vote Nay. The
7. voting is open. Have all voted who wish? Have all voted who
8. wish? Take the record. On that question, the Ayes are 39, the
9. Nays are 7. 2 Voting Present. The Specific Recommendations
10. of the Governor as to House Bill 2012, having received the
11. required constitutional majority vote of Senators elected are
12. declared accepted. House Bill 723, Senator D'Arco. Read
13. the motion, Mr. Secretary.

14. SECRETARY:

15. I move to accept the Specific Recommendations of the Governor
16. as to House Bill 723 in the manner and form as follows. Signed,
17. Senator D'Arco.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator D'Arco is recognized.
20.
21.
22.
23.

24. (END OF REEL)
25.
26.
27.
28.
29.
30.
31.
32.
33.

1. SENATOR D'ARCO:

2. Thank you, Mr. President. What this provides is that after
3. the expiration of one year from the filing of an information or
4. an indictment, the court may, after a hearing, have on its own
5. motion dismiss the information or the indictment. It's a technical
6. situation where the indictment may linger on after a period of
7. time for no apparent reason and the court may have the State's
8. Attorney come into court and request on their motion to dismiss
9. it and in this instance, the court may initiate the motion to
10. dismiss it and that's primarily what it does and I would recommend
11. that we accept the Governor's Specific Recommendation for Change.
12. Thank you.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion of the motion? The question is shall the
15. Senate accept the Specific Recommendation of the Governor as to
16. House Bill 723 in the manner and form just stated by Senator
17. D'Arco. Those in favor vote Aye. Those opposed vote Nay. The
18. voting is open...who wish? Have all voted who wish? Take the
19. record. On that question the Ayes are 53. The Nays are none.
20. None Voting Present. This...the Senate does accept the Specific
21. Recommendation of the Governor as to House Bill 723 and the bill
22. having received the required majority vote of Senators elected
23. is declared accepted. House Bill 961, Senator D'Arco. Read the
24. motion, Mr. Secretary.

25. SECRETARY:

26. I move to accept the Specific Recommendations of the Governor
27. as to House Bill 961 in the manner and form as follows. Signed,
28. Senator D'Arco.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator D'Arco on House Bill 961.

31. SENATOR D'ARCO:

32. ...Thank you, Mr. President. All this is is a date change
33. and we've discussed this many times with Representative Stearney

1. and all the bill does is change the effective date from January
2. 1...the Amendatory Veto...it changes the effective date from
3. January 1 to March 1, 1980. Apparently, the insurance companies
4. have commented that they needed some additional time to change
5. the computer system that processes the unemployment insurance
6. claims and in order to do that, we changed the effective date
7. from January 1 to March 1, 1980. We also added language to
8. specify that the insured has the option to take higher limits
9. for bodily injury or death provided in the policy if the person
10. so chooses. The Governor felt there was some discrepancy in the
11. language that he felt this new language cleared up. In fact,
12. there was a grammatical error and this would, in fact, clear it
13. up and that's about what it does and I would move that we adopt
14. the Governor's Specific Recommendation for Change.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Is there discussion of the motion? The question is shall
17. the Senate accept the Specific Recommendation of the Governor as
18. to House Bill 961 in the manner and form just stated by Senator
19. D'Arco. Those in favor vote Aye. Those opposed vote Nay. The
20. voting is open. Have all voted who wish? Have all voted who wish?
21. Take the record. On that question the Ayes are 51. The Nays are
22. none. None Voting Present. The Senate does accept the Specific
23. Recommendation of the Governor as to House Bill 961 and...and the...
24. motion having received the required majority vote of Senators
25. elected is declared accepted. House Bill 1025, Senator Washington.
26. Read the motion, Mr. Secretary.

27. SECRETARY:

28. I move to accept the Specific Recommendations of the Governor
29. as to House Bill 1025 in the manner and form as follows. Signed,
30. Senator Washington.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Washington is recognized.

33. SENATOR WASHINGTON:

1. Thank you, Mr. President and members of the Senate. The
2. bill, 1025, added clarifying language and codified certain existing
3. practices in R and E relative to the Nursing Act. The Governor
4. made four Specific Recommendations for Change, all of which were
5. overwhelmingly accepted by the House. He deleted the provision of
6. the bill which indirectly establishes a Nurses Budgeting Section.
7. He provided that nurses whose license have expired more than five
8. years must...maintain a refresher course as is in the present law.
9. He added a provision for additional study for those who repeatedly
10. fail in taking the Nursing Act and to leave the requirement which
11. was superfluous of that Department of R and E approve BS degrees
12. for programs of nursing that are not intended to prepare for
13. licensure. I think these modifications and changes are not
14. revolutionary. They're certainly in keeping with the spirit of
15. the Act and I move for the...the Senate adopt the Recommendations
16. for Change.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. Is there discussion of the motion? Senator Rhoads.

19. SENATOR RHOADS:

20. Question of Senator Washington.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Indicates he will yield. Senator Rhoads.

23. SENATOR RHOADS:

24. Senator, with respect to the...that portion of the Amendatory
25. Veto which deals with requiring that the nursing candidate take
26. an additional course of study, if that nursing candidate has repeat-
27. edly failed. The reason that requirement in that Department irritates
28. me a little bit is because they are not now equipped to adequately
29. help those candidates who have failed the exam. For example, those
30. candidates which failed the last exam were given a...a list of
31. approved schools, none of which are offering any courses between
32. now and March, when the next exam is given. Secondly, the conditions
33. under which that exam were taken, last June, at the Amphitheater,

1. I think most of us know from our constituents, were...were deplor-
2. able and I...I don't know where we are going with this. I'm for
3. your bill. I'm for the Amendatory Veto, but I think we need some-
4. thing more to make sure that that Department can administer this
5. kind of authority. Can you give me any guidance?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Washington.

8. SENATOR WASHINGTON:

9. I just stumbled through this quagmire with you and I see
10. your dilemma. Obviously, you cannot permit nurses to practice who
11. fail repeatedly and something must be done. The logical assumption
12. is that they need more training. You are stating that the training
13. is not adequate. I agree, based on what I hear. I suggest we
14. go with the Governor's change and that we, through a process of
15. negotiation, discussion and pressure upon R and E, see what they
16. can do to beef up the procedures by which these...these training
17. courses are given. That is a bit vague, I agree, but I see no
18. choice. If we permit them to slip through without the requisite
19. training then we'll be criticized for...for not doing something.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Regner.

22. SENATOR REGNER:

23. Yes, member... Mr. President and members, just a very short
24. comment. This is a very important bill to the Illinois Nurses
25. Association and I understand that the Illinois Nurses Association
26. is having their annual convention this year in Wisconsin because
27. Illinois hasn't passed ERA yet.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? Senator Washington.

30. SENATOR WASHINGTON:

31. Well, the nurses must be served. This is a good bill. It
32. simply...it simply codifies most of the existing practices. The
33. Nursing Association had some minor objections to the Governor's

HB 1031
Spec. Recommendation
of the Gov.
10-20-79

1. Amendatory Veto, but they recognize that he's trying like we're
2. trying to improve it and I recommend or I suggest we go along with
3. the Governor's recommendations.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The question is shall the Senate accept the Specific Recom-
6. mendation of the Governor as to House Bill...1025 in the manner
7. and form just stated by Senator Washington. Those in favor vote
8. Aye. Those opposed vote Nay. The voting is open. Have all
9. voted who wish? Have all voted who wish? Take the record.
10. On that question the Ayes are 49. The Nays are 4. None Voting
11. Present. The Specific Recommendation of the Governor as to House
12. Bill 1025 having received the required constitutional majority
13. vote of Senators elected are declared accepted. House Bill 1031, Senator
14. Moore. Read the motion, Mr. Secretary.

15. SECRETARY:

16. I move to accept the Specific Recommendation of the Governor
17. as to House Bill 1031 in the manner and form as follows. Signed,
18. Senator Moore.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Moore.

21. SENATOR MOORE:

22. Thank you, Mr. President and members of the Senate. This is
23. the Statute of Limitations Bill for the engineers, architects and
24. contractors. The Governor, within his Amendatory Message, increased
25. from eight years to twelve years the Statute of Repose which is the
26. same as what it is for the Products Liability Action that we passed.
27. I concur with him, the industry concurs with him and I would move
28. that we do accept the Specific Recommendations of the Governor.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion of the motion to accept? The question is
31. shall the Senate accept the Specific Recommendation of the Governor
32. as to House Bill 1031 in the manner and form just stated by Senator
33. Moore. Those in favor vote Aye. Those opposed vote Nay. The voting

1. is open. Have all voted who wish? Have all voted who wish?
2. Take the record. On that question the Ayes are 52. The Nays are
3. none. 1 Voting Present. The Specific Recommendation of the
4. Governor as to House Bill 1031 having received the required majority
5. vote of Senators elected are...are declared accepted. House
6. Bill 1100, Senator Ozinga. Read the motion, Mr. Secretary, please.
7. Ken.

8. SECRETARY:

9. I move to accept the Specific Recommendation of the Governor
10. as to House Bill 1100 in the manner and form as follows. Signed,
11. Senator Ozinga.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Ozinga.

14. SENATOR OZINGA:

15. Yes, Mr. President. This is...this concerns the water tower
16. in Oak Lawn at the Toll Road and 95th Street. There was an
17. omission of deleting one of the figures and the Governor's Office
18. very graciously inserted the figure of one dollar in and I would
19. move to accept the Specific Recommendations of the Governor.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there discussion? The question is shall the Senate accept
22. the Specific Recommendations of the Governor as to House Bill 1100
23. in the manner and form just stated by Senator Ozinga. Those in
24. favor vote Aye. Those opposed vote Nay. The voting is open. Have
25. all voted who wish? Have all voted who wish? Take the record.
26. On that question the Ayes are 50. The Nays are none. None Voting
27. Present. The Specific Recommendation of the Governor as to House
28. Bill 1100 having received the required majority vote of Senators
29. elected are declared accepted. House Bill 1110, Senator Rock.
30. Read the motion, Mr. Secretary.

31. SECRETARY:

32. I move to accept the Specific Recommendations of the Governor
33. as to House Bill 1110 in the manner and form as follows. Signed,
Senator Rock.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rock is recognized.

3. SENATOR ROCK:

4. Thank you. Mr. President and Ladies and Gentlemen of the
5. Senate, House Bill 1110 was a highway easement bill in favor
6. of Bond County, Illinois which was sponsored then by Senator
7. Donnewald. I have filed a motion to accept the Specific Recom-
8. mendations for Change of the Governor because those changes do
9. not make any substantive change. They merely correct an error
10. that the Department of Transportation found in the legal descrip-
11. tion. The Governor and DOT have asked that we accept this and I
12. concur and so move, Mr. President.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there discussion of the motion? The question is shall
15. the Senate accept the Specific Recommendation of the Governor
16. as to House Bill 1110 in the manner and form just stated by
17. Senator Rock. Those in favor vote Aye. Those opposed vote Nay.
18. The voting is open. Have all voted who wish? Have all voted
19. who wish? Take the record. On that question the Ayes are 52.
20. The Nays are none. 1 Voting Present. The Specific Recommendation
21. of the Governor as to House Bill 1110 having received the required
22. constitutional majority vote of Senators elected are declared
23. accepted. House Bill 1139, Senator Hall. Senator Hall...read the
24. motion, Mr. Secretary, please.

25. SECRETARY:

26. I move to accept the Specific Recommendation of the Governor
27. as to House Bill 1139 in the manner and form as follows. Signed,
28. Senator Hall.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Hall.

31. SENATOR HALL:

32. Thank you, Mr. President and Ladies and Gentlemen of the
33. Senate. House Bill 1139 decreases from sixty to thirty days the

1. time within which bills that have been approved for payment for
2. goods or services are to be paid. Bills to be paid from certain
3. enumerated revolving funds will continue to be paid within the
4. current sixty day time constraint. Now the Governor, in his
5. Amendatory Veto, the Governor notes that the section of the Statute
6. dealing with interest penalties for failures to pay bills was not
7. amended properly. His Amendatory Veto changes those provisions
8. to have them conform with the State's new payment responsibility.
9. I accept the recommended Amendatory Veto of the Governor. I ask
10. for your favorable support.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there discussion? The motion...the question is shall the
13. Senate accept the Specific Recommendation of the Governor as to
14. House Bill 1139. Those in favor vote Aye. Those opposed vote
15. Nay. The voting is open. Have all voted who wish? Have all voted
16. who wish? Take the record. On that question the Ayes are 52.
17. The Nays are 1. None Voting Present. The Specific Recommendation
18. of the Governor as to House Bill 1139, having received the required
19. majority vote of Senators elected are declared accepted. House
20. Bill 1258, Senator Davidson. Read the motion, Mr. Secretary.

21. SECRETARY:

22. I move to accept the Specific Recommendation of the Governor
23. as to House Bill 1258 in the manner and form as follows. Signed,
24. Senator Davidson.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Davidson is recognized.

27. SENATOR DAVIDSON:

28. Mr. President and members of the Senate, what the changes
29. were were to clarify the effective date of the increases on this
30. bill...changes it to "the increase provided by the Amendatory Act,
31. 1979, after December 1, 1979," and then on page 3, "prior to January
32. 1, 1979." I move to accept the Amendatory Recommendation.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. You've...you've heard the motion. Is there discussion?
2. The question is shall the Senate accept the Specific Recommendation
3. of the Governor as to House Bill 1258 in the manner and form
4. just stated by Senator Davidson. Those in favor vote Aye.
5. Those opposed vote Nay. The voting is open. Have all voted who
6. wish? Have all voted who wish? Take the record. On that question
7. the Ayes are 50. The Nays are 1. 1 Voting Present. The
8. Specific Recommendations of the Governor as to House Bill 1258,
9. having received the required majority vote of Senators elected,
10. are declared accepted. House Bill 1334, Senator Rupp. Read
11. the motion, Mr. Secretary, please.

12. SECRETARY:

13. I move to accept the Specific Recommendations of the Governor
14. as to House Bill 1334 in the manner and form as follows. Signed,
15. Senator Rupp.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Rupp is recognized.

18. SENATOR RUPP:

19. Thank you, Mr. President. This bill amends the Downstate
20. Teachers' Retirement Article of the Pension Code and allows the
21. board of trustees to develop and administer a group health insu-
22. rance plan for retired teachers. The bill originally specified
23. that fifty percent of the cost would be paid by the General
24. Revenue Funds and the other fifty percent by the participants.
25. The Governor, however, has made these suggestions and he specifies
26. that the premium should be paid through the payroll deductions
27. from the retiree's annuity and he also says that the retiree's
28. payment should be kept separate from the pension contributions
29. and that the provisions that the payment of the State share be
30. made through a contribution from the Pension Fund. The reason that...
31. I think he went to that was the fact that these people are not
32. active payroll people. They are retired and I do move that we
33. accept the Specific Recommendations of the Governor.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. You've heard the motion. Is there discussion? The question
3. is shall the...I'm sorry. Senator Berning. Senator Berning, I
4. believe you're on.

5. SENATOR BERNING:

6. Thank you, Mr. President...simply would like to point out
7. to the members of the Senate that by this change, the contribution
8. by the State is eliminated and the contribution is taken from
9. the Pension Systems which are already in serious trouble. It's
10. my personal feeling that this is a mistake on the part of the
11. Governor and I would respectfully suggest that each of you
12. evaluate this, recognizing that the original proposal was fine.
13. The bill, as it originally passed the Senate and the House, was
14. defensible. Now, we are taking the contribution out of the al-
15. ready seriously hurt Pension Systems and I think that's a mistake
16. on the part of the Governor and we, in the Senate, ought not to
17. compound it by passing it.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Further discussion? Senator Rupp may close.

20. SENATOR RUPP:

21. I move that we do accept the Specific Recommendations of the
22. Governor and ask for a vote.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is shall the Senate accept the Specific Recom-
25. mendation of the Governor as to House Bill 1334 in the manner and
26. form just stated by Senator Rupp. Those in favor vote Aye. Those
27. opposed vote Nay. The voting is open. Have all voted who wish?
28. Have all voted who wish? Take the record. On that question the
29. Ayes are 32. The Nays are 16. 1 Voting Present. The Specific
30. Recommendations of the Governor as to House Bill 1334, having
31. received the required majority vote of Senators elected, are
32. declared accepted. House Bill 1350, Senator Davidson. Read the
33. motion, Mr. Secretary.

HB 1382
10-30-79

1. SECRETARY:

2. I move to accept the Specific Recommendations of the Governor
3. as to House Bill 1350 in the manner and form as follows. Signed,
4. Senator Davidson.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Davidson is recognized.

7. SENATOR DAVIDSON:

8. Mr. President and members of the Senate, I move to accept
9. the Governor's Amendatory Veto because what it did is remove
10. the in service assistance that was in this bill which is already
11. available under the present law. Move to accept the Amendatory
12. Veto.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. You've heard the motion. Is there discussion? The question
15. is shall the Senate accept the Specific Recommendations of the
16. Governor as to House Bill 1350 in the manner and form just
17. stated by Senator Davidson. Those in favor vote Aye. Those opposed
18. vote Nay. The voting is open. Have all voted who wish? Have
19. all voted who wish? Take the record. On that question the Ayes
20. are 47. The Nays are 1. 1 Voting Present. The Specific Recom-
21. mendations of the Governor as to House Bill 1350, having received
22. the required majority vote of Senators elected, are declared
23. accepted. House Bill 1382, Senator Vadalabene. Read the motion,
24. Mr. Secretary, please.

25. SECRETARY:

26. I move to accept the Specific Recommendations of the Governor
27. as to House Bill 1382 in the manner and form as follows. Signed,
28. Senator Vadalabene.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Vadalabene is recognized.

31. SENATOR VADALABENE:

32. Yes, thank you, Mr. President and members of the Senate. The
33. Governor's Amendatory Veto changed the Act...takes effect on its

1. becoming law, in order to avoid further delays in the implementation
2. of the Mines Subsidence Insurance Program. In connection with
3. this bill, the General Assembly has appropriated the necessary
4. funds for this fiscal year. Unfortunately, however, House Bill
5. 1382 was not finally acted upon by the General Assembly until
6. July 1 of this year and, therefore, does not become effective
7. under the provision of an Act in relation to the effective date
8. of laws until July, 1980. This Amendatory Veto would simply add
9. an immediate effective date. The vote in the House was 137 to
10. nothing and I move to sustain the Governor's Amendatory Veto
11. to House Bill 1382.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? Senator Keats. Is there discussion?
14. The question is shall the Senate accept the Specific Recommendation
15. of the Governor as to House Bill 1382 in the manner and form
16. just stated by Senate Vadalabene. Those in favor vote Aye. Those
17. opposed vote Nay. The voting is open. Have all voted who wish?
18. Have all voted who wish? Take the record. On that question the
19. Ayes are 36. The Nays are 16. None Voting Present. The Senate
20. does accept the Specific Recommendations of the Governor as to
21. House Bill 1382 and the bill, having received the required majority
22. vote of Senators elected, are declared accepted and since the
23. bill had an effective date other than July the 1st, it has received
24. the affirmative vote of three-fifths of the members elected and
25. is effective immediately upon its becoming a law. Is there leave
26. for Senator Grotberg to handle the motion filed by Senator Bruce
27. on House Bill 1526? Leave is granted. Read the motion, Mr.
28. Secretary, please.

29. SECRETARY:

30. I move to accept the Specific Recommendation of the Governor
31. as to House Bill 1526 in the manner and form as follows. Signed,
32. Senator Bruce.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Grothberg is recognized.

2. SENATOR GROTBORG:

3. Thank you, Mr. President and...because of your cooperative
4. attitude as you handled this bill in the House...or in the Senate,
5. it's my pleasure to ask the Governor to withdraw the amendment that
6. I put on your good bill which added port districts to the Inter-
7. governmental Cooperation Act that got so many votes with counties
8. and municipalities in it. I would move then, Mr. President, to
9. accept the Governor's Amendatory Veto on House Bill 1526.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? The question is shall the Senate accept
12. the Specific Recommendations of the Governor as to House Bill 1526
13. in the manner and form just stated by Senator Grothberg. Those in
14. favor vote Aye. Those opposed vote Nay. The voting is open. Have
15. all voted who wish? Have all voted who wish? Take the record.
16. On that question the Ayes are 50. The Nays are none. None Voting
17. Present. The Specific Recommendations of the Governor as to House
18. Bill 1526, having received the required majority vote of Senators
19. elected, are declared accepted. House Bill 1676, Senator Maitland.
20. Read the motion, Mr. Secretary, please.

21. SECRETARY:

22. I move to accept the Specific Recommendations of the Governor
23. as to House Bill 1676 in the manner and form as follows. Signed,
24. Senator Maitland.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Maitland. May we have some order, Ladies and Gentlemen?
27. Senator Maitland is recognized.

28. SENATOR MAITLAND:

29. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
30. This was the Cable TV Bill we debated last Spring, passed out of
31. both Houses with a...with a large majority. The Governor, however,
32. was concerned about some of the language contained in the bill and
33. made some...some minor changes in language. It doesn't substantially

1. change the bill at all and I would move that we accept his
2. Specific Recommendations.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Is there discussion? The question is shall the Senate
5. accept the Specific Recommendations of the Governor as to House
6. Bill 1676 in the manner and form just stated by Senator Maitland.
7. Those in favor vote Aye. Those opposed vote Nay. The voting is
8. open. Have all voted who wish? Have all voted who wish? Have
9. all voted who wish? Take the record. On that question the Ayes
10. are 48. The Nays are 1. None Voting Present. The Specific
11. Recommendations of the Governor as to House Bill 1676, having
12. received the required majority vote of Senators elected, are
13. declared accepted. House Bill 1677, Senator Merlo. Read the
14. motion, Mr. Secretary, please.

15. SECRETARY:

16. I move to accept the Specific Recommendations of the Governor
17. as to House Bill 1677 in the manner and form as follows. Signed,
18. Senator Merlo.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Merlo is recognized.

21. SENATOR MERLO:

22. Thank you, Mr. President. The Amendatory Veto was of a
23. technical nature. It corrects a drafting error by providing for
24. the appointment, not the election, of a library director in
25. villages with the commission form of government. This is how the
26. bill was intended originally and I move for the acceptance of
27. the recommended change of the Governor.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. You've heard the motion. Is there discussion? The
30. question is shall the Senate accept the Specific Recommendations
31. of the Governor as to House Bill 1677 in the manner and form just
32. stated by Senator Merlo. Those in favor vote Aye. Those opposed
33. vote Nay. The voting is open. Have all voted who wish? Have all

1. voted who wish? Take the record. On that question the Ayes are
2. 54. The Nays are none. None Voting Present. The Specific
3. Recommendations of the Governor as to House Bill 1677, having
4. received the required majority vote of Senators elected, are
5. declared accepted. House Bill 1693, Senator Lemke. House Bill
6. 1718, Senator Nash. House Bill 1733, Senator Regner. Read the
7. motion, Mr. Secretary.

8. SECRETARY:

9. I move to accept the Specific Recommendations of the Governor
10. as to House Bill 1733 in the manner and form as follows. Signed,
11. Senator Regner.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. May we have some order, please, Ladies and Gentlemen? We
14. have done very well until the last five or ten minutes. Senator
15. Regner is recognized.

16. SENATOR REGNER:

17. Yes, Mr. President and members, the original bill was to
18. prohibit sale of liquor at wholesale by unregistered persons. There
19. was some...some problems with it last Spring, but the bill did
20. pass. The Governor's Amendatory Veto did create some other problems.
21. Consequently, Representative Sandquist, the House sponsor, intro-
22. duced some amendatory language to the Amendatory Veto and what the
23. new language would do...it was done in order to protect the eighty
24. million dollars in Gallonage Tax on liquor and also to prevent
25. Illinois distributors from going to other states, primarily Oklahoma,
26. from purchasing alcoholic beverages, bringing them into this State
27. and bypass the paying of the Gallonage Tax and also not paying the
28. proper Sales Tax when sales were made from these procedures. This
29. was accepted by the House by an overwhelming vote and I understand
30. it does correct the problems that some of the opposition had here
31. in the Senate last Spring and I'd ask for a favorable roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there discussion of the motion to accept? Senator Rhoads.

1. SENATOR RHOADS:

2. Just a point of Parliamentary Inquiry. What...how is this
3. motion put, Mr. President, if there is amendatory language coming
4. to an Amendatory Veto Message...I thought we had ruled in this
5. Chamber on...on previous occasions that that could not be done.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Rhoads, we are in the situation of having to accept
8. or reject the House's action and Senator Regner's motion is to
9. accept the motion identically as it was put in the House. So,
10. we have no option. We either accept the Specific Recommendation
11. for Change as drafted and put to the House and passed over there
12. or we may not...we may not change from that...the House action.

13. Senator Rhoads.

14. SENATOR RHOADS:

15. All right. Then two more questions necessarily follow.
16. First is the number of votes required for passage and then secondly,
17. assuming we do accept the House action, how does this monster become
18. a law? Who certifies it? Does the Secretary of State take it?
19. Does it go back to the Governor? What...what status is it in?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Because of the section...second section requiring an immediate
22. effective date, it will require a three-fifths affirmative vote
23. for acceptance of the Specific Recommendations and as to your second
24. point, it is...under our Constitution, the power of the Governor
25. to certify whether or not our changes are appropriate and upon
26. his certification, it will become effective. Senator Rhoads.

27. SENATOR RHOADS:

28. Thank you, Mr. President and one final question then. What...
29. what is the rule in this Chamber concerning that type of procedure,
30. to...to present an amendment to an Amendatory Veto Message? Have
31. we not ruled in the past that that is not in order?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Well, taking the attitude that when that question comes here,

1. we will answer it, I will wait and...with bated breath to answer
2. that question when it comes before this Body. For what purpose
3. Senator Rock rise?

4. SENATOR ROCK:

5. Thank you, Mr. President. I'm sorry, I was distracted here,
6. but the...as I understood the question, the question was whether
7. we can amend the Governor's Specific Recommendations for Change.
8. We have, in fact, done that in the past. The second House has only
9. two options, to accept what the other House sends them or to
10. reject what the other House sends them, but we have, in fact,
11. changed on occasion, few, I might add, but we have, in fact,
12. changed the Governor's Specific Recommendations. Ordinarily, it
13. is done with his okay. I understand his okay has been obtained
14. in this instance and the final certification is up to the Governor.
15. So that, in the event that some changes are made by the Assembly
16. in his Specific Recommendations, he need not certify them and the
17. bill is automatically dead.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. And to follow that, since the question has now been answered,
20. we have already done it this Session on a Senate Bill. We amended
21. a Governor's Amendatory Veto in this Chamber. For what purpose
22. does Senator Geo-Karis arise?

23. SENATOR GEO-KARIS:

24. Mr. President, a point of information. I believe you said that
25. it would take 36 votes in order to make it effective immediately.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. That is correct.

28. SENATOR GEO-KARIS:

29. If we get thirty votes, does the bill still pass and is it
30. effective July 1, 1980...because it is an approval of the
31. amendatory changes.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. If you'll just hold your question for a second. Senator

1. Geo-Karis, in some instances, the effective date would be moved
2. back to July the 1st, but we are dealing with a House Message
3. and incorporated within that Message, is an immediate effective
4. date. We don't have any way of amending that Message and we
5. either have to accept it as the House sent it to us or reject
6. it and acceptance requires a three-fifths vote and so, failing
7. to get that three-fifths vote, we have not accepted House action
8. and the bill will not become effective at all because our Message
9. back to the House was that we failed to accept it. It is a
10. unique situation in which they have added an effective date with-
11. in their amendatory language and...yes, as my Parliamentarian says,
12. it's a mess. Is there further discussion? Senator Mitchler.

13. SENATOR MITCHLER:

14. Well, I'm glad we spent a little bit of time, Mr. President
15. and members of the Senate, on this subject of amending Amendatory
16. Vetoes from the Governor and I sort of would like to have gone
17. through with Senator Geo-Karis' deal where we would make a change
18. in this Body on an amendment made on an Amendatory Veto made in
19. that Body so it could go back for concurrence and really get this
20. thing, but it all proves that thirty or thirty-six votes can do
21. anything to the people of the State of Illinois.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Further discussion? Senator Regner may close.

24. SENATOR REGNER:

25. Well, Mr. President and members, there wasn't any discussion
26. or questions regarding the contents of the bill or the amendment.
27. All the discussion was on something else, so I'll just ask for
28. a favorable roll call.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. The question is shall the Senate accept the Specific Recom-
31. mendations of the Governor as to House Bill 1733 in the manner
32. and form just stated by Senator Regner. Those in favor vote Aye.
33. Those opposed vote Nay. The voting is open. Have all voted who

1. wish? Have all voted who wish? Take the record. On that question
2. the Ayes are 48. The Nays are 4. 1 Voting Present. The
3. Specific Recommendations of the Governor as to House Bill 1733,
4. having received the required majority vote of Senators elected,
5. are declared accepted and the bill, having received the affirmative
6. votes of three-fifths of the members elected, is effective immed-
7. iately upon its becoming a law. House Bill 1769, Senator McLendon.
8. Read the motion, Mr. Secretary.

9. SECRETARY:

10. I move to accept the Specific Recommendations of the Governor
11. as to House Bill 1769 in the manner and form as follows. Signed,
12. Senator McLendon.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator McLendon is recognized.

15. SENATOR McLENDON:

16. Thank you, Mr. President. Mr. President and members of the
17. Senate, this bill raises from two to ten the number of public
18. libraries necessary to constitute cooperative library system on
19. a consolidated library system, recreates the Library Study Com-
20. mission whose primary purpose would be to review, analyze and recom-
21. mend funding formulas for all public libraries and library systems.
22. The Amendatory Veto of the Governor amended out and eliminates
23. the Library Study Commission. His rationale was that he believes
24. the Library Study Commission is unnecessary and that it recreates
25. a number and proliferates the number of commissions that we already
26. have. I recommend that we uphold the veto of the Governor. The
27. House voted to accept the Amendatory Veto 129 to 1. I move
28. that we accept the veto...the Amendatory...the Specific Recom-
29. mendations of the Governor.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Is there discussion of the motion? The question is shall
32. the Senate accept the Specific Recommendations of the Governor
33. as to House Bill 1769 in the manner and form just stated by

1. Senator McLendon. Those in favor vote Aye. Those opposed vote
2. Nay. The voting is open. Have all voted who wish? Have all
3. voted who wish? Take the record. On that question the Ayes are
4. 49. The Nays are 3. None Voting Present. The Specific Recom-
5. mendations of the Governor as to House Bill 1769, having received
6. the required majority vote of Senators elected, are declared
7. accepted. House Bill 1802. House Bill 1919, Senator Geo-Karis.
8. Read the motion, Mr. Secretary.

9. SECRETARY:

10. I move to accept the Specific Recommendations of the Governor
11. as to House Bill 1919 in the manner and form as follows. Signed,
12. Senator Geo-Karis.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Geo-Karis.

15. SENATOR GEO-KARIS:

16. Mr. President and Ladies and Gentlemen of the Senate, the
17. only thing the Amendatory Veto does in this case, is postpone
18. the date for one year and I move to accept the...the Specific
19. Changes made by the Governor.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. You have heard the motion. Is there discussion? The
22. question is shall...is there discussion? The question is shall
23. the Senate accept the Specific Recommendations of the Governor as
24. to House Bill 1919 in the manner and form just stated by Senator
25. Geo-Karis. Those in favor vote Aye. Those opposed vote Nay.
26. The voting is open. Have all voted who wish? Have all voted who
27. wish? Take the record. On that question the Ayes are 52. The
28. Nays are none. 1 Voting Present. The Specific Recommendations of
29. the Governor as to House Bill 1919, having received the required
30. majority vote of Senators elected, are declared accepted. House
31. Bill 1986, Senator Graham. House Bill 2111, Senator Vadalabene.
32. Read the motion, Mr. Secretary, please. 2111.

33. SECRETARY:

1. I move to accept the Specific Recommendations of the
2. Governor as to House Bill 2111 in the manner and form as follows.
3. Signed, Senator Vadalabene.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Vadalabene.

6. SENATOR VADALABENE:

7. Yes, thank you, Mr. President and members of the Senate.
8. The Governor used his amendatory power to make the legislation
9. which lowers the Privilege Tax on racing effective immediately
10. upon its becoming law. By doing so, the licensees can begin to
11. experience the increased assistance in the form of lower
12. Privilege Taxes a couple of months earlier than the current
13. January 1, 1980, effective date. This bill passed the House
14. 139 to 2 to accept the recommended changes and I move to sustain
15. the Governor's Amendatory Veto.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. You've heard the motion to accept. Is there discussion?
18. The question is shall the Senate accept the Specific Recommendations
19. of the Governor as to House Bill 2111 in the manner and form just
20. stated by Senator Vadalabene. Those in favor vote Aye. Those
21. opposed vote Nay. The voting is open. Have all voted who wish?
22. Have all voted who wish? Take the record. On that question the
23. Ayes are 49. The Nays are none. None Voting Present. The Specific
24. Recommendations of the Governor as to House Bill 2111, having
25. received the required majority vote of Senators elected, are declared
26. accepted. House Bill 2207, Senator Maitland. Read the motion,
27. Mr. Secretary, please.

28. SECRETARY:

29. I move to accept the Specific Recommendations of the Governor
30. as to House Bill 2207 in the manner and form as follows. Signed,
31. Senator Maitland.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Maitland is recognized.

1. SENATOR MAITLAND:

2. Thank you, Mr. President and Ladies and Gentlemen of the
3. Senate. This is the bill that...that required teacher certifi-
4. cation with an improved teacher training program and the Governor
5. was concerned that there could be some students caught in the
6. middle here in one year or two years in school and he simply
7. moved the date from 1980 to 1981. I move to accept the recommen-
8. dations of the Governor.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there discussion of the motion? The question is shall
11. the Senate accept the Specific Recommendations of the Governor as
12. to House Bill 2207 in the manner and form just stated by Senator
13. Maitland. Those in favor vote Aye. Those opposed vote Nay.
14. The voting is open. Have all voted who wish? Have all voted who
15. wish? Take the record. On that question the Ayes are 48. The
16. Nays are 3. None Voting Present. The Specific Recommendations
17. of the Governor as to House Bill 2207, having received the required
18. majority vote of Senators elected are declared accepted. House
19. Bill 2228, Senator Nedza. Read the motion, Mr. Secretary, please.

20. SECRETARY:

21. I move to accept the Specific Recommendations of the Governor
22. as to House Bill 2228 in the manner and form as follows. Signed,
23. Senator Nedza.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Nedza is recognized.

26. SENATOR NEDZA:

27. Thank you, Mr. President. The Specific Changes are of mistakes
28. that were made in Enrolling and Engrossing so they are just a few
29. line items, few changes of names. The Governor, at the time
30. that he was making these changes with respect to his Amendatory
31. Veto in it, was just tightening up the bill. It does not alter
32. the intent of the bill at any time and I would move to accept the
33. Specific Recommendations of the Governor.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there discussion? Senator Maitland, our Secretary wants
3. to inform you those errors were made by the House Enrolling and
4. Engrossing staff, not by his staff. Senator Nedza. Is there
5. further discussion? The question is shall the Senate accept the
6. Specific Recommendations of the Governor as to House Bill 2228 in
7. the manner and form just stated by Senator Nedza. Those in favor
8. vote Aye. Those opposed vote Nay. The voting is open. Have all
9. voted who wish? Have all voted who wish? Take the record. On
10. that question the Ayes are 55. The Nays are none. None Voting
11. Present. The Specific Recommendations of the Governor as to House
12. Bill 2228, having received the required majority vote of Senators
13. elected, are declared accepted. House Bill 2367, Senator Rupp.
14. Read the motion, Mr. Secretary, please.

15. SECRETARY:

16. I move to accept the Specific Recommendations of the Governor
17. as to House Bill 2367 in the manner and form as follows. Signed,
18. Senator Rupp.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Rupp is recognized.

21. SENATOR RUPP:

22. Thank you, Mr. President. This bill amends the Voluntary
23. Health Services Plan Act and what...basically what it did was to
24. permit the dentists to be included and be considered physicians
25. in order to fulfill a requirement or a quota of thirty percent of
26. a planned corporation's board being physicians. It also...the
27. Governor changed this particular thing and made some new language
28. to clarify the relationship between the health plan corporation,
29. the Public Aid recipient and the Department of Public Aid and under
30. that proposal, a health plan corporation which wishes to treat
31. Public Aid recipients would have to first enter into a written
32. agreement or contract with the Department of Public Aid governing
33. the provision of such services. He also had some other language
changes. I move to accept the Specific Recommendations of the Governor.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. ...Further discussion? In that the Governor's Message adds
3. an immediate effective date, this will require a three-fifths
4. vote. The question is shall the Senate accept the Specific
5. Recommendations of the Governor as to House Bill 2367 in the
6. manner and form just stated by Senator Rupp. Those in favor
7. vote Aye. Those opposed vote Nay. The voting is open. Have
8. all voted who wish? Have all voted who wish? Take the record.
9. On that question the Ayes are 55. The Nays are none. None Voting
10. Present. The Specific Recommendations of the Governor as to
11. House Bill 2367, having received the required majority vote of
12. Senators elected, are declared accepted and the bill having
13. received the affirmative vote of three-fifths of the members
14. elected, is effective immediately upon its becoming a law.
15. Senator D'Arco on House Bill 2540. Read the motion, Mr. Secretary,
16. please.

17. SECRETARY:

18. I move to accept the Specific Recommendations of the Governor
19. as to House Bill 2540 in the manner and form as follows. Signed,
20. Senator D'Arco.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator D'Arco. Voting instruction cards to election judges.

23. SENATOR D'ARCO:

24. Thank you, Mr. President. What this does, it simply revises
25. the action of the General Assembly regarding the posting of voting
26. instruction cards. The Governor...Amendatory Veto requiring
27. instead that at least one instruction card is provided to the
28. election judges be posted in each booth and that four such cards
29. be posted around the polling place on election day. We eliminated
30. the provision that these cards be posted in its entirety, but
31. the Governor, in his infinite wisdom, decided that it would be
32. nice if we posted some of these cards around the polling place and
33. who am I to object to the Governor. So, I'll...I'll move...I will

1. move to adopt the Governor's Specific Recommendation for Change...
2. unless Mark Rhoads objects. Now, if he objects, I'm going to change
3. my motion.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Is there discussion of the motion to accept. Senator Rhoads.

6. SENATOR RHOADS:

7. I just wanted to ask Senator D'Arco, does the...does the county
8. clerk have his name in bold print in these cards...in a year that
9. he's running for reelection?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator D'Arco.

12. SENATOR D'ARCO:

13. I don't talk to the county clerk. He's not a friend of mine
14. and I have nothing to do with him and...no, I'm just kidding. I
15. think he does have it in bold print so...let's get on with it.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? The question is shall the Senate...the
18. question is shall the Senate accept the Specific Recommendations of
19. the Governor as to House Bill 2540 in the manner and form just
20. stated by Senator D'Arco. Those in favor vote Aye. Those opposed
21. vote Nay. The voting is open. Have all voted who wish? Have all
22. voted who wish? Take the record. On that question the Ayes are
23. 52. The Nays are 1. None Voting Present. The Specific Recom-
24. mendations of the Governor as to House Bill 2540, having received
25. the required majority vote of Senators elected are declared accepted.
26. House Bill 2746, Senator Jeremiah Joyce. Announcements, Senator
27. Egan.

28. SENATOR EGAN:

29. Thank you, Mr. President and members of the Senate. I would
30. like to reflect an error that has been committed so that the Journal
31. would so reflect that because I was without arms distance from
32. my switch on House Bill 1334, I was recorded as voting Aye, when
33. in fact, that was a mistake. Had I been...if...had I had longer

1. arms, I would have voted No and it would not have made a
2. difference, Senator Rupp and I'd appreciate it if the Journal
3. would reflect my No vote.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The record will so reflect. Senator Rock.

6. SENATOR ROCK:

7. Thank you, Mr. President and Ladies and Gentlemen of the
8. Senate, if I can have the attention of the membership, perhaps
9. we can clear up what...what the schedule is. The schedule has
10. been passed out. It calls for us...for the Executive Committee
11. to meet at 4:00 o'clock. We are going to try to stay as close
12. to that as possible. A couple of members have, in fact, filed
13. motions that I think ought to be heard today so that they can
14. properly appear on the Calendar. In addition, I was just advised
15. by the House that there are about fifteen bills on 3rd Reading,
16. some appropriation bills some other...of other type, that they
17. expect to send over later this afternoon. So, my suggestion,
18. after talking with the Minority Leader, is that we would now
19. recess until the call of the Chair, which effectively, I hope, will
20. be about 6:00 o'clock for the purpose then...the single, sole
21. purpose of the receipt of that House Message so that those House
22. Bills that come over can show up on tomorrow's Calendar and then
23. we would adjourn until 11:00 o'clock tomorrow morning to take
24. whatever action we deem fit on those and the other matters remaining.
25. I know there are a couple of members who have motions pending
26. that they wish to be called tonight and I would urge that we move
27. expeditiously to that order and get on with our business.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. For what purpose Senator Graham rise?

30. SENATOR GRAHAM:

31. Like to ask Senator Netsch a question. Are you going to
32. postpone your meeting? We have Executive right now. I think
33. we better pick another time, huh?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Netsch.

3. SENATOR NETSCH:

4. The...the meeting is scheduled for tomorrow afternoon at
5. 4:00 o'clock, Senator Graham, and it will proceed tomorrow. I
6. realize that Executive Appointments has now been scheduled at
7. the same time, but that was all we could do, but it is tomorrow.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further announcements? Is there leave to go to the Order
10. of Resolutions for one resolution? Leave is granted. Resolutions.

11. SECRETARY:

12. Senate Joint Resolution 73 offered by Senators Gitz, Nash,
13. Savickas, Nega and others.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Gitz.

16. SENATOR GITZ:

17. Mr. President, I would like to make the appropriate motion
18. for posting and notice to be waived so that this resolution,
19. Resolution 73, can be heard in the Senate Executive Committee
20. tomorrow. I spoke with Senator Rock and Senator Shapiro about
21. this. This resolution deals with urging the Commerce Commission
22. to adopt its rule that they are presently having hearings on for
23. no winter shut-offs.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. The motion is to suspend the Notice Rule so that resolution...
26. Senate Joint Resolution 73 might be heard in Executive Committee
27. tomorrow. Is there objection? Leave is granted...Executive Com-
28. mittee. Senator Knuppel.

29. SENATOR KNUPPEL:

30. I'd ask leave to go to the Order of Motions. I have pending
31. a motion to discharge from the Senate Rules a bill 24...House Bill
32. 2492 which is the State's Attorney's Pay Raise Bill which came over
33. here and died in the throes of the Postponed Consideration in the

1. closing moments of the Senate Session last Spring.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. And, Senator, you wish to have that heard tomorrow?

4. SENATOR KNUPPEL:

5. I'd like to have the motion heard today to take the bill
6. from the committee and place it on the Order of 2nd Reading.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. The motion is to discharge House Bill 2492 from the Committee
9. on Judiciary I and have the bill placed on the Senate Calendar,
10. the Order of 2nd Reading. Is there discussion of the motion?
11. Motion is to discharge. Those in favor will vote Aye. Those opposed
12. will vote Nay. The voting is open. Have all voted who wish?
13. Have all voted who wish? Take the record. On that question the
14. Ayes are 36. The Nays are 9. None Voting Present. The rules are
15. suspended and the bill on...House Bill 2492 is discharged from
16. the Committee on Judiciary I and placed on the Calendar on the
17. Order of 2nd reading. Are there further motions? Further announce-
18. ments? Motion by Senator Rock to recess until the hour of six
19. or at the call of the Chair, Senator? Till 6:00 p. m.? Motion is
20. to recess until the hour of six p. m. and we will at that time
21. adjourn until tomorrow at the hour of eleven a. m. Further
22. announcements, Senator Wooten?

23. SENATOR WOOTEN:

24. Just a reminder that the Executive Committee will convene
25. in about five minutes.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Motion...further announcements? Motion is to recess. All
28. in favor say Aye. Opposed Nay. The Ayes have it and the Senate
29. stands in recess until 6:00 p. m. We will adjourn tomorrow at
30. eleven a. m.

31. (RECESS)

(AFTER RECESS)

32. PRESIDENT:

33. All right. The hour of six having arrived and passed, the

1. Senate will reconvene and come to order. I understand that the
2. Messages have been received from the House. Mr. Secretary,
3. Messages from the House.

4. ACTING SECRETARY: (MR. FERNANDES)

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

6. Mr. President - I am directed to inform the Senate
7. that the House of Representatives has passed bills with the
8. following titles, in the passage of which I am instructed to ask
9. concurrence of the Senate, to-wit:

10. House Bill 2789, 2790, 2792, 2794, 2979, 2798, 2799, 2800,
11. 2804 and 2805, passed the House October 30, 1979, by a three-
12. fifths vote.

13. PRESIDENT:

14. All right. No...if there is no further business to come
15. before the Senate, Senator Shapiro moves that the Senate stand
16. adjourned until Wednesday, October 31, at the hour of eleven a.m.
17. The Senate stands adjourned.

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