

81ST GENERAL ASSEMBLY

REGULAR SESSION

DECEMBER 3, 1980

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The hour of eleven having arrived, the Senate will come
3. to order...of twelve having arrived, the Senate will come to
4. order. Prayer by the Reverend Rudolph Shoultz, Union Baptist
5. Church, Springfield, Illinois.

6. REVEREND SHOULTZ:

7. (Prayer given by Reverend Shoultz)

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. We are honored to have with us today, on the Podium, the
10. Seventh and Eighth Grade Choir from Effingham, Illinois. Their
11. teacher is Doreen Jones. The Christmas spirit is upon us and
12. they are going to sing us two Christmas carols today and get
13. us in the appropriate mood. I would tell you that this is the
14. Mixed Choir, not the Girls Choir, there are three fellows hidden
15. among all these lovely young ladies. I asked them about the fact,
16. were they a Mixed Choir and they said, there may be three of us
17. but we do our job, so it may just take three of them to do the
18. job to make this a Mixed Choir. Doreen Jones will lead them in
19. two little songs real quickly.

20. (Choir sings for the Senate)

21. For what purpose does Senator Savickas arise?

22. SENATOR SAVICKAS:

23. Yes, Mr. President and members of the Senate. I'd like to
24. take this opportunity to introduce our new Senator from the
25. 23rd Senatorial District, Timmy Degnan. Senator...Senator
26. Timothy Degnan.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Fine. Congratulations and welcome aboard. Reading of
29. the Journal.

30. SECRETARY:

31. Wednesday, November the 19th, 1980, Thursday, November the
32. 20th, 1980, and...Friday, November the 21st, 1980.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Senator Nega.

2. SENATOR NEGA:

3. Mr. President, I move that the Journals just read by
4. the Secretary be approved unless some Senator has additions
5. or corrections to offer.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. You've heard the motion. Discussion? All in favor say
8. Aye. Opposed Nay. The Ayes have it. The motion prevails.
9. There are three resolutions that need to move out of this
10. Chamber. Is there leave to go to the Order of Resolutions?
11. Leave is granted. Resolutions.

12. SECRETARY:

13. Senate Joint Resolution 134 and 135 offered by Senator
14. Rhoads and all Senators and they are death resolutions.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Rhoads. May we have some order, please.

17. SENATOR RHOADS:

18. Thank you, Mr. President, members of the Senate. I'd
19. like to ask leave to have all Senators shown as cosponsor
20. on these two resolutions, 134 and 135. They are death resolutions
21. for...two firemen from the town of Western Springs in my district
22. who died in the MGM Grand Hotel fire in Las Vegas on the final
23. day of our Session two weeks ago, David Potter and William Gerbosi
24. And I would, at this time, like to ask leave for the immediate
25. consideration and adoption of Senate Joint Resolution 134 and 135.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Is there leave to show all Senators and consider these
28. resolutions immediately? Leave is granted. Motion is to adopt.
29. All in favor say Aye. Opposed Nay. The Ayes have it, the resolutions
30. are adopted.

31. SECRETARY:

32. Senate Resolution 709 offered by Senator Berman and Rock and
33. all Senators and it's congratulatory.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Berman is recognized.

3. SENATOR BERMAN:

4. Thank you, Mr. President. I move that the appropriate
5. rules be suspended for immediate consideration of this resolution.
6. It is in honor...it...of the great service of our colleague who
7. is concluding his service in the Senate, Senator Sam Maragos,
8. and I move that the appropriate...rules be suspended.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. The motion is to suspend the rules for the immediate
11. consideration and adoption of the resolution and that all Senators
12. be shown as sponsors. Is there leave? Leave is granted. On the
13. motion to adopt. All in favor say Aye. Opposed Nay. The Ayes
14. have it, the resolution is adopted.

15. SECRETARY:

16. Senate Resolution 710 offered by Senators Mitchler, Rupp,
17. Shapiro and all Senators and it's congratulatory.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Mitchler is recognized.

20. SENATOR MITCHLER:

21. Mr. President and members of the Senate. This is a congrat-
22. ulatory resolution for our colleague, Senator Max Coffey, who will
23. be married Saturday. I'd ask for...suspension of the rules and
24. the immediate consideration and adoption of the resolution so
25. he can take it with his bride to wherever he's going.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. And leave to show all Senators as sponsor. You heard the motion.
28. All in favor say Aye. Opposed Nay. The Ayes have it. On the
29. motion to adopt, all in favor say Aye. Opposed Nay. The Ayes
30. have it, the resolution is adopted.

31. SECRETARY:

32. ...Senate Joint Resolution 136 offered by Senators...Grotberg,
33. Moore, Nedza, Weaver, Coffey, Maragos, Chew and others.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Moore. Senator Grotberg.

3. SENATOR GROTBORG:

4. Thank you, Mr. President and members of the Senate. In
5. anticipation of a visit tomorrow of delegation from the Republic
6. of China on Taiwan, I would move to suspend the...appropriate
7. rule and immediately consider a resolution congratulating
8. the Republic of China and commenting upon their cooperation with
9. the State of Illinois. They will be back here in April
10. on a purchasing mission for...forty-five to fifty millions of
11. dollars and we are also declaring in the resolve clause that
12. we would be glad to become a brother state of the State of Taiwan
13. Province on Taiwan.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is to suspend the rules for the immediate
16. consideration and adoption of the resolution. Is there leave?
17. Leave is granted. Motion to adopt, all in favor say Aye. Opposed
18. Nay. The Ayes have it. The resolution is adopted. Resolutions.

19. SECRETARY:

20. The...following resolutions are all...congratulatory.
21. Senate Resolution 711 by Senator Sangmeister.
22. Senate Resolution 712 by Senator Lemke.
23. Senate Resolution 713 by Senator Lemke.
24. Senate Resolution 714 by Senator Lemke.
25. Senate Resolution 715 by Senator Shapiro, Rock and all Senators.
26. Senate Resolution 716 by Senator Mitchler.
27. Senate Resolution 717 by Senator Mitchler.
28. Senate Resolution 718 by Senators Mitchler, Vadalabene and
29. all Senators.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Resolutions Consent Calendar. Leave to go to the Order
32. of House Bills 1st reading on Page 2 of your Calendar? Leave
33. is granted. House Bills 1st reading, House Bill 3635. Senator
34. Egan is recognized.

1. SENATOR EGAN:

2. Thank you, Mr. President and members of the Senate. House
3. Bill 3635...merely extends the...the effective date for one
4. more year as a result of the passage of House Bill 2012, which
5. is an Employee Contribution Pension Substantive Bill. But the
6. Senate Bill 3635 is not substantive, it does not make any
7. substantive changes. My motion is to suspend the appropriate
8. rules to advance the bill to the Order of 2nd reading to
9. bypass Rules and substantive committees. I know of no
10. opposition, it's merely a technical change. Be happy to answer
11. any questions, but...that is my motion, Mr. President.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Is there discussion? Senator Joyce. No. The motion is
14. to suspend the rules...or the motion is that Senate Bill 3635
15. be read a first time, that it be advanced to the Order of
16. 2nd reading without reference to any committee. Is there leave?
17. Leave is granted. The bill will be read a first time.

18. SECRETARY:

19. House Bill 3635.
20. (Secretary reads title of bill)
21. 1st reading of the bill.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Any other sponsor wish to advance a bill? House Bill 3636.
24. Senator Martin, do you wish the bill read a first time? Read
25. the bill, Mr...

26. SENATOR MARTIN:

27. Well, I want...I want to do what Senator Egan did.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. All right. The motion by Senator Martin is to have the
30. bill read a first time, advance to the order of 2nd reading without
31. reference to any substantive or...or the Rules Committee. Is
32. there comment? On the motion, all in favor say Aye. Opposed Nay.
33. The Ayes have it. The bill will be read a first time, advanced to

MB 3623
Motion to
Discharge
12-3-80

1. the Order of 2nd reading without reference to committee.
2. SECRETARY:
3. House Bill 3636.
4. (Secretary reads title of bill)
5. 1st reading of the bill.
6. PRESIDING OFFICER: (SENATOR BRUCE)
7. House Bill 3638. Senator Jeremiah Joyce.
8. SENATOR JEREMIAH JOYCE:
9. Thank you, Mr. President. I move to waive the appropriate
10. rules and have House Bill 3638 placed on the Calendar on the
11. Order of 2nd reading.
12. PRESIDING OFFICER: (SENATOR BRUCE)
13. The motion is that House Bill 3638 be read a first time,
14. advanced to the Order of 2nd reading without reference to
15. committee. Is there leave? Leave is granted. Read the bill,
16. Mr. Secretary, please.
17. SECRETARY:
18. House Bill 3638.
19. (Secretary reads title of bill)
20. 1st reading of the bill.
21. PRESIDING OFFICER: (SENATOR BRUCE)
22. House Bills 30...3635, 3636 and 3638 are advance to the
23. Order of 2nd reading without reference to committee. Is there
24. leave to go to the Order of Motions. I understand that Senator
25. Rhoads has a motion which is been cleared with everyone. Senator
26. Rhoads, on the Order of Motions.
27. SENATOR RHOADS:
28. There is a motion on the Secretary's Desk.
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Would you...
31. SENATOR RHOADS:
32. Do you want me...all right. It's a Motion to Discharge
33. ...House Bill 3623 from the Rules Committee and place it on the

1. Order of 2nd reading. This is an Election Consolidation Vehicle
2. Bill. We have an amendment which is being drafted now, be ready
3. later this afternoon, I'll explain it at that time.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. The motion is to suspend the Rules and...House Bill 20...3623
6. be discharged from any further consideration by the Rules Committee,
7. be placed on the Calendar...that it be read a first time and placed
8. on the Senate Calendar on the Order of 2nd reading. Heard the
9. motion. All in favor say Aye. Opposed Nay. The Ayes have it
10. and the bill will be placed on the Order of 2nd reading. On the
11. Order of Motions. Senator DeAngelis is recognized on a resolution.
12. Senator DeAngelis.

13. SENATOR DE ANGELIS:

14. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
15. I would like to move that the...committee be...Executive Committee
16. be discharged from consideration on House - Senate Resolution 111
17. and that I urge it's favorable approval at this particular time.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Can you explain the contents of the resolutions quickly.

20. SENATOR DE ANGELIS:

21. Yes, Sir. What the resolution does, it advances the reporting
22. date on the Chicago Board of Education Investigative Committee from
23. December 1st to January 13th.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is...is there discussion? Senator Rock.

26. SENATOR ROCK:

27. Thank you, Mr. President. I don't think there's any objection,
28. frankly, what we ought to do is...is discharge and move it to the
29. Order of the Secretary's Desk so everybody has a chance to look
30. at it.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. All right. The Motion is to Discharge Senate Committee
33. on Executive from further consideration of House Joint Resolution 111,

1. and that it be placed on the Order of Secretary's Desk. Is there
2. leave? You've heard the motion. All in favor say Aye. Opposed
3. Nay. The Ayes have it, the motion prevails. Is there leave to
4. return to the Order of House Bills 1st reading? Leave is granted.
5. Senator Carroll is now the sponsor of House Bill 20...3624. Senator
6. Carroll...moves that the bill be read a first time, advanced
7. to the Order of 2nd reading without reference to committee. All
8. right. On that...the motion is before the Body on House Bill 3624.
9. The Chair is not trying to move too quickly if there is discussion
10. on the motion. All right. Senator Shapiro.

11. SENATOR SHAPIRO:

12. Mr. President, I object to that motion. This is far too
13. important to refer to 2nd reading without a hearing on the bill.
14. And I personally want to see this bill referred to Rules.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Further discussion of the motion? Senator Carroll, do you
17. wish to proceed with your motion? You wish...leave to take it
18. out of the record. Leave is granted. For what purpose does
19. Senator Johns arise?

20. SENATOR JOHNS:

21. Mr. President, Democratic Senators in all their offices...
22. listening. There will be a Democratic caucus immediately in
23. Room 400. If we get up there and get to work, we might get a
24. break for lunch.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Rock.

27. SENATOR ROCK:

28. Thank you, Mr. President. I would suggest that the Senate
29. will stand in recess until the hour of two o'clock. Our caucus
30. should not take more than twenty or thirty minutes and then we
31. can all get some lunch. Two o'clock, if you will, gentlemen.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The motion is that the Senate stand in recess until the

1. hour of two o'clock. On the motion, all in favor say Aye.
2. Opposed Nay. The Ayes have it. The Senate stands in recess
3. till two. A Democratic caucus immediately in Room 400.

4. (Recess)

5. (After Recess)

6. PRESIDENT:

7. The Senate will come to order. Committee reports.

8. SECRETARY:

9. Senator Carroll, Chairman of Appropriations I Committee,
10. reports out the following House Bills:

11. 3621, 3622, 3627, 3634 with the recommendation Do Pass.

12. House Bill 3631 with the recommendation Do Pass as Amended.

13. Senator Buzbee, Chairman of Appropriations II Committee,
14. reports out the following House Bills:

15. 3629 with the recommendation Do Pass.

16. And 3625 and 3626 with the recommendation Do Pass as
17. Amended.

18. PRESIDENT:

19. Turn to page 4 on the Calendar. On the Order of Specific
20. Recommendations for Change...Senator Bruce. All right. On the
21. Order of Specific Recommendations for Change, middle of page 4
22. on the Calendar. House Bill 1009. Read the motion, Mr. Secretary.

23. SECRETARY:

24. I move to accept the Specific Recommendations of the Governor
25. as to House Bill 1009 in the manner and form as follows.

26. Signed, Senator Bruce.

27. PRESIDENT:

28. Senator Bruce.

29. SENATOR BRUCE:

30. Thank you, Mr. President, members of the Senate. My motion
31. is to accept the Specific Recommendations of the Governor as to
32. House Bill 1009 which relates to Teacher Retirement Programs.
33. Several years ago, in 1973, we started a program of increasing

1. minimum benefits to teachers who had served a great length of
2. time in the system and retired prior to the substantial increases
3. in teachers' salaries which began in...to occur in the...around
4. 1968. We started the system...this would have been an increase
5. of giving them an increase in the minimum from three hundred dollars
6. for thirty years of service to four hundred and fifty dollars for
7. forty-five years of service, that was deleted. The other major
8. change within the bill was to give credit of a dollar per month
9. for every year of service for teachers retired...after 1976.
10. The Governor has moved that back to 1971 and...that will catch...
11. the increase will affect really only those that have received it
12. in the past. The movement of the 1976 date would have increased the
13. ~~amount of individuals covered.~~ He also...although it's not really
14. too relevant, moved that same date for annuitants and their benefits
15. to 1971, rather than including everyone who had retired prior to
16. 1976. With the changes, the bill does not do a great deal,
17. however, it does help those teachers who have taught thirty years
18. or more and retired prior to 1971. And therefore I would move that
19. we accept the Specific Recommendations of the Governor as to the
20. changes to House Bill 1009.

21. PRESIDENT:

22. Senator Bruce has moved that the Senate accept the Specific
23. Recommendations for Change with respect to House Bill 1009. Is
24. there any discussion? If not, the question is shall the Senate
25. accept the Specific Recommendations of the Governor as to House
26. Bill 1009 in the manner and form just stated by Senator Bruce.
27. Those in favor will vote Aye. Those opposed will vote Nay. The
28. voting is open. Have all voted who wish? Have all voted who wish?
29. Have all voted who wish? Take the record. On that question the
30. Ayes are 55, the Nays are none, none Voting Present. The Specific
31. Recommendations of the Governor as to House Bill 1009, having
32. received the required constitutional majority vote of Senators
33. elected are declared accepted. 1522, Senator Sangmeister. On

1. the Order of Specific Recommendations for Change, there's a
2. motion filed with respect to House Bill 1522. Mr. Secretary,
3. read the motion please.

4. SECRETARY:

5. I move to accept the Specific Recommendations of the Governor
6. as to House Bill 1522 in the manner and form as follows.

7. Signed, Senator Sangmeister.

8. PRESIDENT:

9. Senator Sangmeister.

10. SENATOR SANGMEISTER:

11. Yes, Ladies and Gentlemen of the Senate. If you'll recall, this
12. bill requires State agencies contracting for janitorial cleaning
13. and window cleaning in security services to pay a wage rate that
14. is not less than the local wage rate paid for the same services
15. when at arm's length Collective Bargaining Agreement is in effect.
16. The Governor used his amendatory veto and his objections to this
17. seem to stem from the fact that the bill does not exclude
18. Collective Bargaining Agreements between the State and the State
19. employees in deciding just what the locally...prevalent...rate
20. is. So, the Governor believes that by including the wages of
21. State employees in determining a locally prevalent wage rate,
22. that the competition would be eliminated and thus destroy the
23. competitive bidding process. And his amendatory veto corrects that
24. situation. I think it is fine. I know of any...no one that
25. has any objections to his amendatory veto and the motion is to
26. accept the amendatory veto on House Bill 1522.

27. PRESIDENT:

28. Senator Sangmeister has moved to accept the Specific
29. Recommendations of the Governor with respect to House Bill 1522.
30. Is there any discussion? In not, the question is shall the Senate
31. accept the Specific Recommendations of the Governor as to House
32. Bill 1522 in the manner and form just stated by Senator Sangmeister.
33. Those in favor will vote Aye. Those opposed will vote Nay. The

1. voting is open. Have all voted who wish? Have all voted who
2. wish? Have all voted who wish? Take the record. On that
3. question the Ayes are 54, the Nays are 1, none Voting Present.
4. The Specific Recommendations of the Governor as to House Bill
5. 1522, having received the required constitutional majority vote
6. of Senators elected, are declared accepted. Senator Merlo, 1673.
7. On the Order of Specific Recommendations for Change, the motion
8. filed with respect to House Bill 1673. Mr. Secretary, read the
9. motion, please.

10. SECRETARY:

11. I move to accept the Specific Recommendations of the
12. Governor as to House Bill 1673 in the manner and form as follows.

13. Signed, Senator Merlo.

14. PRESIDENT:

15. Senator Merlo.

16. SENATOR MERLO:

17. Mr. President and members of the Senate. This bill, of course,
18. has to do with the return of security deposit or a sale of property,
19. and this is residential property, takes place. I certainly am in
20. accord with the...the amendatory veto of the Governor. I think
21. it's more realistic. It makes both the transferor and the
22. transferee liable for the return of the security deposit and I
23. seek your support.

24. PRESIDENT:

25. The...the noise that everybody is hearing is not Senator
26. Merlo's wheezing, that's the door. There...apparently the
27. door jamb or the...we either/ either ought to close the door or
28. make sure it doesn't open as often. How's that. All right.
29. Senator Merlo has moved to accept the Specific Recommendations
30. of the Governor with respect to House Bill 1673. Any discussion?
31. If not, the question is shall the Senate accept the Specific
32. Recommendations of the Governor as to House Bill 1673 in the
33. manner and form just stated by Senator Merlo. Those in favor will

*HB 2227
Spec. Recommendations
for Edifice.*

1. vote Aye. Those opposed will vote Nay. The voting is open.
2. Have all voted who wish? Have all voted who wish? Have all
3. voted who wish? Take the record. On that question the Ayes
4. are 54, the Nays are none, none Voting Present. The Specific
5. Recommendations of the Governor as to House Bill 1673, having
6. received the required constitutional majority vote of Senators
7. elected are declared accepted. On the Order of Specific
8. Recommendations for Change, there's a motion filed with
9. respect to House Bill 2227. Senator Gitz, for what purpose do
10. you seek recognition?

11. SENATOR GITZ:

12. Mr. President, on a matter of personal privilege.

13. PRESIDENT:

14. State your point, Sir.

15. SENATOR GITZ:

16. In the gallery are two individuals who drove two hundred
17. miles over our wonderful roads to be here today in the Appropriations
18. II Committee. And I speak of Sandy Barr of the Saint Francis facility
19. in Freeport, Illinois and Father Bob Kroll of Saint Vincent's.
20. And if they would stand before the Senate and be recognized.

21. PRESIDENT:

22. Welcome to Springfield. Please stand and be recognized.
23. On the Order of Specific Recommendations for Change, the motion
24. filed with respect to House Bill 2227, Mr. Secretary.

25. SECRETARY:

26. I move to accept the Specific Recommendations of the Governor
27. as to House Bill 2227 in the manner and form as follows.

28. Signed, Senator Schaffer.

29. PRESIDENT:

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. Mr. President, this bill dealt with the creation of the
33. Emergency Medical Services System and the Governor has recommended

1. that the powers of that service council be limited in several
2. ways...giving the Department of Public Health a stronger role
3. than the Act would have originally intended. The House sponsor,
4. who is the principal author is willing to accept this and so am I.
5. PRESIDENT:

6. All right. Senator Schaffer has moved to accept the Governor's
7. Specific Recommendations for Change with respect to House Bill
8. 2227. Is there any discussion? If not, the question is shall
9. the Senate accept the Specific Recommendations of the Governor
10. as to House Bill 2227, in the manner and form just stated by
11. Senator Schaffer. Those in favor will vote Aye. Those opposed
12. with vote Nay. The voting is open. Have all voted who wish?
13. Have all voted who wish? Take the record. On that question
14. the Ayes are 56, the Nays are none, none Voting Present. The
15. Specific Recommendations of the Governor as to House Bill 2227,
16. having received the required constitutional majority vote of
17. Senators elected are declared accepted. Senator Wooten on...on
18. the Order of Specific Recommendations for Change, the motion
19. filed with respect to House Bill 2876, Mr. Secretary.

20. SECRETARY:

21. I move to accept the Specific Recommendations of the Governor
22. as to House Bill 2876 in the manner and form as follows.

23. Signed, Senator Wooten.

24. PRESIDENT:

25. Senator Wooten.

26. SENATOR WOOTEN:

27. Thank you, Mr. President. House Bill 2876 authorizes credit
28. associations to insure their share accounts with insurers other
29. than through the National Credit Union Association and extends
30. the deadline for applications and commitments. We found that
31. of the three requirements we placed on these other insurers,
32. one would actually have frustrated the purpose of the bill and
33. deleting this requirement in no way, lessens the accountability
34. and supervision, the accountability of people involved of the

1. supervision of the Departments of Insurance and Financial
2. Institutions. So, I would suggest that we accede to the
3. Governor's changes and I so move.

4. PRESIDENT:

5. All right. Senator Wooten has moved to accept the
6. Governor's recommendations with respect to House Bill 2876.
7. Is there any discussion? If not, the question is shall the
8. Senate accept the Specific Recommendations of the Governor as
9. to House Bill 2876 in the manner and form just stated by Senator
10. Wooten. Those in favor will vote Aye. Those opposed will vote
11. Nay. The voting is open. Have all voted who wish? Have all
12. voted who wish? Take the record. On that question the Ayes
13. are 56, the Nays are none, none Voting Present. The Specific
14. Recommendations of the Governor as to House Bill 2876, having
15. received the required constitutional majority vote of Senators
16. elected are declared accepted.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. House Bill 2997, Senator Bruce. Read the motion, Mr. Secretary.

19. SECRETARY:

20. I move to accept the Specific Recommendations of the Governor
21. as to House Bill 2997 in the manner and form as follows.

22. Signed, Senator Bruce.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Bruce.

25. SENATOR BRUCE:

26. Thank you, Mr. President, members of the Senate. This bill,
27. in its original form, dealt with the problems we're having
28. with community mental health boards in that they wanted to
29. organize themselves as not-for-profit corporations. We worked
30. with the Illinois State Medical Society, the Department of
31. Public Health, Mental Health, worked out a bill which everyone
32. agreed with, and then at the last minute tacked onto this very good
33. bill was a matter dealing with transportation of the mental health

1. people to and from facilities and the reimbursement for
2. that transportation. That got to be a hot item. It has been
3. deleted. All of the hot stuff is out of it, All this bill
4. now does is say that community mental health boards may
5. organize as not-for-profit corporations and then contract
6. with physicians as every mental health board is doing, illegally
7. in the State, as I understand it mainly. It is not...it is
8. not a permissible activity under the present Not-For-Profit
9. Corporation Act, it is not permissible under the Medical Practices
10. Act. All it does is clarify that what they are currently doing
11. in...in organizing in the not-for-profit corporations and in
12. fact, legal.

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Is there discussion? Senator Rhoads.

15. SENATOR RHOADS:

16. Senator Bruce, the...the hot stuff that you referred to,
17. was that an amendment that Senator Rock had offered relating
18. to suburban Cook County Community Mental Health Agencies?

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Bruce.

21. SENATOR BRUCE:

22. No, if that would have been on, I wouldn't have called this
23. ...jewel. No, it was...that was Senator Wooten's amendment
24. dealing with sheriffs transporting mental health patients
25. back and forth. And the appropriation is in Senator Carroll's
26. committee, there was...got all lost in the shuffle there.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Is there further discussion? The question is shall the
29. Senate accept the Specific Recommendations of the Governor as
30. to House Bill 2997 in the manner and form just stated by Senator
31. Bruce. Those in favor vote Aye. Those opposed Nay. The voting
32. is open. Have all those voted who wish? Have all those voted
33. who wish? Take the record. On that question the Yeas are 57,
34. the Nays are none. Those voting...the Specific Recommendations

1. of the Governor as to House Bill 2997, having received the
2. required constitutional majority vote of the Senators elected
3. are declared accepted. House Bill 3007. Read the motion, Mr.
4. Secretary.

5. SECRETARY:

6. I move to accept the Specific Recommendations of the Governor
7. as to House Bill 3007 in the manner and form as follows.

8. Signed, Senator Regner.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Senator Regner.

11. SENATOR REGNER:

12. Yes, Mr. President and members. The amendatory veto applies
13. to only one part of this bill and there were several items in it
14. pertaining to the Comptroller that he wanted and that we in the
15. Appropriations Committee wanted. The bill proposes to delete
16. the line item category refunds from the...several categories
17. permissible for discretionary two percent transfers. What the
18. amendatory veto does, is eliminates the words, refunds, and
19. what...what this does, in effect is, allow the agencies to use
20. their refund monies in their discretionary two percent transfer.
21. And this is primarily applicable to the Department of Revenue
22. and I move that we accept that amendatory veto.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Is there discussion? The question is, shall the Senate
25. accept the Specific Recommendations of the Governor as to
26. House Bill 3007 in the manner and form just stated by Senator
27. Regner. Those in favor vote Aye. Those opposed Nay. The
28. voting is open. Have all those voted who wish? Have all
29. those voted who wish? Take the record. On that question
30. the Ayes are 56, the Nays are 1. The Specific Recommendations
31. of the Governor as to House Bill 3007, having received the
32. required constitutional majority vote of the Senators elected
33. are declared accepted. House Bill 3070. Read the motion, Mr. Secretary.

1. SECRETARY:

2. I move to accept the Specific Recommendations of the Governor
3. as to House Bill 3070 in the manner and form as follows.

4. Signed, Senator DeAngelis.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator DeAngelis.

7. SENATOR DE ANGELIS:

8. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
9. House Bill 3070 was amended in the Senate to include in it the
10. permission to sell State Aid Anticipation Warrants in the future.
11. The Governor's Office wisely amended it to restrict the sale of
12. that...General Obligation Notes and Tax Anticipation Notes to
13. eighty-five percent of the taxes levied for any particular
14. school district. I urge the...the acceptance of the Specific
15. Recommendation for Change.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there discussion? The question is shall the Senate accept
18. the Specific Recommendations of the Governor as to House Bill 3070
19. in the manner and form just stated by Senator DeAngelis. Those
20. in favor vote Aye. Those opposed Nay. The voting is open. Have
21. all those voted who wish? Have all those voted who wish? Take
22. the record. On that question the Ayes are 57, the Nays are none.
23. And the Specific Recommendations of the Governor as to House Bill
24. 37...3070, having received the required constitutional majority
25. vote of the Senators elected are declared accepted. House Bill
26. 3179. Read the motion, Mr. Secretary.

27. SECRETARY:

28. I move to accept the Specific Recommendations of the Governor
29. as to House Bill 3179 in the manner and form as follows.

30. Signed, Senator Bruce.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Bruce.

33. SENATOR BRUCE:

1. Thank you, Mr. President. This bill dealt with only the
2. aspect of allowing communities to issue revenue bonds, very
3. much like the Industrial Revenue Bond Act, for the construction
4. of medical and dental facilities. That met with the approval
5. of the State Medical Society and everyone involved and in the
6. last minute this bill got amended to include ambulance district
7. legislation. That has been deleted by the Governor and now the
8. bill stands in its pristine form dealing only with the issuance
9. of bonds for the construction of medical and dental facilities.
10. I don't know of anyone that has any objection to that portion
11. of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Is there discussion? The question is shall the Senate accept
14. the Specific Recommendations of the Governor as to House Bill
15. 3179 in the manner and form just stated by Senator Bruce. Those
16. in favor vote Aye. Those opposed Nay. The voting is open. Have
17. all those voted who wish? Have all those voted who wish? Take
18. the record. On that question the Ayes are 51, the Nays are none.
19. The Specific Recommendations of the Governor as to House Bill
20. 3179, having received the required constitutional majority of
21. the vote of the Senators elected, are declared accepted. House
22. Bill 3204. Read the motion, Mr. Secretary.

23. SECRETARY:

24. House Bill...I move to accept the Specific Recommendations
25. of the Governor as to House Bill 3204 in the manner and form as
26. follows.

27. Signed, Senator Lemke.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. The Calendar indicates Senator Daley was the sponsor, that
30. is Senator Lemke is the cosponsor. Senator Lemke.

31. SENATOR LEMKE:

32. Joint sponsor.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. You're joints...all right, you're a joint cosponsor. You
2. have the Floor.

3. SENATOR LEMKE:

4. Mr. President, members of the Senate. What the Governor's
5. Veto did was that the Governor took out the fuel...Fuel Cost
6. Adjustment Grant, which was to give to the senior citizens,
7. which would probably be necessary for this winter. I think he
8. was misinformed that the Federal Government has a program
9. because there is no program, the money is gone. But...being
10. that it is with the...the way it is, we have to accept the
11. Governor's Veto otherwise the other programs for senior
12. citizens will be killed and we can try to get the fuel adjust-
13. ment next year and show that the ~~Governor is wrong and he's~~
14. been ill-advised by whoever advises him 'cause the Federal
15. money has run out a long time ago and a lot of people didn't
16. get their aid. But I ask to go along with the veto. Ask for
17. your favorable vote.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there discussion? The question is shall the Senate
20. accept the Specific Recommendations of the Governor as to
21. House Bill 3204 in the manner and form just stated by Senator
22. Lemke. Those in favor vote Aye. Those opposed Nay. The voting
23. is open. Have all those voted who wish? Have all those voted
24. who wish? Take the record. On that question the Ayes are 55,
25. the Nays are none. The Specific Recommendations of the Governor
26. as to House Bill 3204, having received the required constitutional
27. majority vote of the Senators elected, are declared accepted.
28. House Bill 3271. Read the motion, Mr. Secretary.

29. SECRETARY:

30. I move to accept the Specific Recommendations of the Governor
31. as to House Bill 3271 in the manner and form as follows.

32. Signed, Senator Netsch.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Netsch.

2. SENATOR NETSCH:

3. Thank you, Mr. President. The basic bill was one of a
4. package of arson bills and dealt with a very limited land
5. trust disclosure to fire enforcement officials. The part in
6. issue right now was added at the point of Conference Committee
7. by both Houses, as a matter of fact, at the request of the
8. State Fire Marshal's Office. And what it would have done
9. was to eliminate the provision that requires that excess funds
10. in the Fire Prevention Fund be returned to the General Revenue
11. Fund annually, if there are, indeed, excess funds. The Governor
12. requested that that part of the bill be eliminated, it had been
13. put in initially...from...from my point of view, at least, as
14. a matter of courtesy, I happen to agree with the Governor and
15. I certainly would move that we accept his recommended change.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there discussion? The question is shall the Senate accept
18. the Specific Recommendations of the Governor as to House Bill
19. 3271 in the manner and form just stated by Senator Netsch.
20. Those in favor vote Aye. Those opposed Nay. The voting is
21. open. Have all those voted who wish? Have all those voted
22. who wish? Take the record. On that question the Ayes are
23. 55, the Nays are none. The Specific Recommendations of the
24. Governor as to House Bill 3271, having received the required
25. constitutional majority vote of the Senators elected are
26. declared accepted. House Bill 3401. Read the motion, Mr.
27. Secretary.

28. SECRETARY:

29. I move to accept the Specific Recommendations of the
30. Governor as to House Bill 3401 in the manner and form as
31. follows.

32. Signed, Senator Rupp.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

HB 3542
Override
12-3-80

1. Senator Rupp.

2. SENATOR RUPP:

3. Thank you, Mr. President. The original bill gives the
4. Department of Commerce and Community Affairs authority to
5. facilitate and fund special job training programs to be
6. used as an incentive to attract new or expanding industries
7. in Illinois. Since the changes, the recommended changes
8. that the Governor has put in, have not really basically
9. altered the overall effect of the program. I move to accept
10. the Specific Recommendations.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Is there discussion? The question is shall the Senate
13. accept the Specific Recommendations of House Bill...of the
14. Governor as to House Bill 3401 in the manner and form just
15. stated by Senator Rupp. Those in favor vote Aye. Those
16. opposed Nay. The voting is open. Have all those voted
17. who wish? Have all those voted who wish? Take the record.
18. On that question the Ayes are 56, the Nays are none. The
19. Specific Recommendations of the Governor as to House Bill
20. 3401, having received the required constitutional majority
21. vote of the Senators elected are declared accepted. We will
22. now turn to Page 4 of our Calendar, Total Vetoes. Read the
23. motion, Mr. Secretary...as to House Bill 3542.

24. SECRETARY:

25. I move that House Bill 3542 Do Pass, the Veto of the Governor
26. to the contrary notwithstanding.

27. Signed, Senator Merlo.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Merlo.

30. SENATOR MERLO:

31. Thank you, Mr. President, members of the Senate. The
32. override of the Governor's Veto of House Bill 3542 would
33. result in an increase in the tax rate of the Chicago Park

1. District from sixty cents to sixty-six of the equalized assessed
2. value. It further provides an increase for aquarium and museum
3. tax rates from nine cents to twelve to operate and maintain
4. eight museums and aquariums. The increase would yield approximately
5. six million dollars to the park district and three million dollars
6. to the museums and the aquariums. The Governor in his Veto...
7. Message stated that the Chicago Park District had not acted in
8. abating its 1979 Real Estate Tax levy in an amount equal to the
9. new tax raised under the Replacement Tax and this is true. But
10. the delay was enacted because of the fact that the park district
11. was uncertain as to what amounts would be derived from the
12. Replacement Tax. However, since that time, the park board just
13. ~~recently~~ voted to abate 3.1...6...1 million dollars in the Property
14. Tax and I think that satisfies the objection of the Governor. I
15. sincerely hope that you will vote in favor of the override of
16. the Veto Message.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Is there discussion? Senator Netsch.

19. SENATOR NETSCH:

20. Thank you, Mr. President. On behalf of some of us who
21. had reluctantly voted for the bill initially, may we just
22. clarify our position for the record. We still feel that the
23. Chicago Park District has been somewhat less than responsible
24. and less than responsive to a large part of its constituency.
25. And we are not at all sure that we would vote another tax increase
26. on our constituents without referendum for that purpose alone, at
27. least until there has been an answerable response from them.
28. However, and not without design, I am sure, the bill also includes
29. the increase for the museums and I don't know of anyone in the
30. City of Chicago who has any objection to the behavior of the
31. museum boards and the enormous contribution that they make both to
32. the behavior of the museum boards and the enormous contribution
33. that they make, both to our residents and I might add, to residents

1. throughout the rest of the State as well, who ought to be paying
2. some part of the freight. But, for that reason, I voted initially
3. for the bill as did some of my other colleagues and will vote
4. for the override.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Is there further discussion? Senator Rhoads.

7. SENATOR RHOADS:

8. Two questions of the sponsor, if he will yield. Senator,
9. the...the first one is that this...this still does not have
10. any referendum provision in it. It...the original..I'm sorry,
11. the original bill last spring did not have any kind of front
12. or backdoor referendum. Is that correct?

13. SENATOR MERLO:

14. That is correct...

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Merlo.

17. SENATOR MERLO:

18. ...Senator Rhoads. That is correct, Senator Rhoads.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Rhoads.

21. SENATOR RHOADS:

22. Then the second question. I'm not sure I understand your
23. representation about the Governor's position correctly and I've
24. been trying to find this out in the last hour or so. You said
25. that because of a rebate...are...are you representing that the
26. Governor has changed his position and is no longer opposed to
27. the bill?

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Merlo.

30. SENATOR MERLO:

31. I personally have not talked to the Governor, but I would
32. assume that based on the fact that the park district board has
33. voted to abate 3.1 million dollars if it would satisfy, of course,
34. his objection to the bill. If that's what he mentioned in the

1. Veto Message and I'm sure it is, that's the way I read it.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. Is there further discussion? The question is shall House
4. Bill 3542 pass, the Veto of the Governor to the contrary, notwith-
5. standing. Those in favor vote Aye. Those opposed Nay. The
6. voting is open. (Machine cut-off)...those voted who wish?
7. Have all those voted who wish? Have all those voted who wish?
8. Take the record. On that question...the Ayes are 40, the Nays
9. are 14. House Bill 3542 having received the required three-
10. fifths vote is declared passed, the Veto of the Governor to
11. the contrary, notwithstanding. On Page 4 of your Calendar, to
12. the Order of Item Vetoes. House Bill 3027. Read the motion, Mr.
13. Secretary.

14. SECRETARY:

15. I move that the item on Page 5, lines 18 through 21 of
16. House Bill 3027 Do Pass the Item Veto of the Governor to the
17. contrary, notwithstanding.

18. Signed, Senator Hall.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Hall.

21. SENATOR HALL:

22. Thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. The Governor set forth below...the House Bill 3027 that...
24. entitled an "Act to make an appropriation for the ordinary and
25. contingent expenses of the Institute of Natural Resource...Of
26. certain other State agencies."

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Just a moment, Senator.

29. SENATOR HALL:

30. Okay.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Will the members...will the members please be in their seats.
33. You may proceed.

34. SENATOR HALL:

1. The appropriation for the energy self-contained
2. demonstration house was not budgeted and must compete
3. with other worthwhile energy related projects for State
4. resources. So pursuant to the Illinois Constitution of
5. 1970, the Governor reduced the following items...approved
6. the item amount set forth in a reduced amount from three
7. million to one million, five hundred thousand. And the...
8. his reason was the current economic uncertainty requires
9. that he looks carefully at any increases to any recommended
10. budget. The amount approved above the public museums provides
11. significant support for those major cultural institutions, which
12. up until two years ago received no State support...program.
13. So, he's approving the one million, five for the development...
14. one million thousand for the development of the alternative forms
15. of energy with the understanding that it will be used exclusively
16. for gasohol research and development. And I move that the...the
17. Governor's...Line Item...Item Veto be passed, contrary to the...
18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Regner.

20. SENATOR REGNER:

21. Well, Mr. President, contrary to what Senator Hall wants,
22. I'm going to rise in opposition to that motion. A year ago,
23. in the Fiscal Year 1980 appropriation, there was a hundred
24. thousand dollars for a similar situation. It was approved and
25. Representative Younger decided this year it wasn't spent just the
26. way she wanted it to, so we have another hundred thousand
27. dollars in. The Institute of Natural Resources stated that
28. if this house were constructed, it wouldn't prove a darned
29. thing or accomplish one thing more that hasn't been done
30. already. It's nothing but another boondoggle down there, it
31. will prove nothing, it will...do nothing for energy research
32. or any energy saving and I would urge the defeat of that motion.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Thank you, Mr. President, Ladies and Gentlemen of the
4. Senate. I briefly spoke with Representative Younge about
5. this and she was going to get back to me. But it seems to
6. me that the more proper course, even if Senator Hall indicated
7. that the Governor...we do have a million dollars that's in
8. this year for alternate energy proposals and most of these
9. kinds of proposals come in and they're reviewed by the Energy
10. Resources Commission Committee, which then brings it back to
11. the Legislature for approval. And I think that in this kind
12. of proposal, there is a million dollars there, plus there's three
13. hundred and fifty thousand dollars left from last year's money
14. that's not spent. So, even...even if...saying that a million
15. dollars goes to alcohol, there's still three hundred and fifty
16. thousand dollars this can be considered for. And it seems to
17. me this is bypassing the normal process and I too would have
18. to rise in opposition to this proposal.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Hall may close.

21. SENATOR HALL:

22. Thank you, Mr. President and Ladies and Gentlemen of the
23. Senate. We won't have too long to worry about hit man Regner,
24. he will soon vacate. I wonder what he's going to do when he
25. gets a chance to...no longer can he get up and oppose good legislation
26. like this. I would ask that we do have a favorable support for
27. this bill. It only takes thirty-six votes and I know that I'm
28. going to get great support, not only on my side, but also on the
29. other side. I do have Senator Nimrod around for awhile, but
30. we'll take care of that also. I'd ask for your most favorable
31. support.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. All right. The question is shall the Item Veto on Page 5,

HB 2351
Override
12-3-80

1. lines 18 to 21 of House Bill 3027, the Item Veto to the...of
2. the Governor to the contrary, notwithstanding. Those in favor
3. vote Aye. Those opposed Nay. The voting is open. Have all
4. those voted who wish? Have all those voted who wish? ...Senator
5. Rock.

6. SENATOR ROCK:

7. Parliamentary inquiry. How many votes are required?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Thirty-six votes are required, three-fifths. Senator Hall.

10. SENATOR HALL:

11. Mr...I just got word that some of the keys are missing, so
12. at this time...but, I'll just ask that it'll be postponed at
13. this time. We'll try again.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Request for postponed consideration. Consideration is
16. postponed. On Page 5 of the Calendar to the Order of Overriding
17. the Specific Recommendations for Change. House Bill 2351. Read
18. the motion, Mr. Secretary.

19. SECRETARY:

20. I move that House Bill 2351 Do Pass, the Specific Recommendations
21. of the Governor to the contrary, notwithstanding.

22. Signed, Senator Bloom.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Bloom.

25. SENATOR BLOOM:

26. Well, thank you, Mr. President, fellow Senators. You're
27. familiar with this legislation. This would strengthen...

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Just a moment, Senator.

30. SENATOR BLOOM:

31. ...could I have a little order, please.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Just a moment, Senator. Will the members please be in their

1. seats. Let's quiet down a little. Proceed.

2. SENATOR BLOOM:

3. Yeah, thank you, Mr. President and fellow Senators.

4. You're familiar with this legislation. I imagine many of you
5. have been...contacted by the business community all over the
6. State. Basically, this would strengthen the legislative
7. presence in the rule making process and cut down on the
8. unwarranted and excessive intrusion of the bureaucracy in our
9. day to day affairs. I won't make a long or passionate speech
10. without reminding all of us that this is a modest hammer that
11. we can hold over the head of the bureaucracy and get them to
12. follow the legislative intent of our Statutes. Be glad to
13. answer any questions and solicit your favorable vote.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Berman.

16. SENATOR BERMAN:

17. Thank you, Mr. President. I rise in support of the Motion
18. to Override. I think that this is important to exercise our
19. legislative...prerogatives over the bureaucracy of government.
20. Our...our constituents are looking for help out of the...burdensome
21. regulations that are imposed upon them. This will help all of
22. our constituents. I urge an Aye vote.

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. Yeah...for Senator Merritt and the Middle Fork.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Geo-Karis.

29. SENATOR GEO-KARIS:

30. Mr. President and Ladies and Gentlemen of the Senate. I
31. think it's time that we put the onus where it belongs. The
32. Legislators get blamed for everything that goes wrong, the rule
33. making agencies do what they darn well please, they're not

1. responsible to the voters and I think it's high time that we
2. have an overview of their horrible, horrendous and stupid powers
3. and I certainly concur in the bill.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Johns.

6. SENATOR JOHNS:

7. Just to reiterate what Senator Berman said. Our constituents have
8. been looking for this help, but I think it basically is what
9. Senator Geo-Karis said, we're looking for help and to prevent
10. the people from blaming us for a lot of the bureaucratic issues
11. and edicts that's issued without even our knowledge. We come
12. face to face with them and we find out they're not law, they're
13. merely policies by the bureaucrats. Let's stop it.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Bloom, do you wish to close? All right. The
16. question is shall House...House Bill 2351 pass, the Specific
17. Recommendations of the Governor to the contrary with...notwith-
18. standing. Those in favor vote Aye. Those opposed Nay. The
19. voting is open. Have all those voted who wish? Have all
20. those voted who wish? Senator McLendon. Have all those voted
21. who wish? Take the record. On that vote the Ayes are 57, the
22. Nays are none. The bill...House Bill 2351, having received
23. the required three-fifths vote is declared passed, the Specific
24. Recommendations of the Governor to the contrary, notwithstanding.

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

AB3614
12-3-80
Lynn Martin

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.
- 16.
- 17.
- 18.
- 19.
- 20.
- 21.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.
- 30.
- 31.
- 32.
- 33.

House Bill 3614. Read the motion, Mr. Secretary.

SECRETARY:

I...I move that House Bill 3614 Do Pass, the Specific Recommendations of the Governor to the contrary, notwithstanding. Signed, Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This is the spent nuclear fuel issue. The reciprocal part of this bill is the Amendment No. 1. I'm not going to dwell on this, and take up much of your time. We have voted on this issue five times in the State Senate. We have passed it every time and I would hope that we would pass it again today and override the Governor and...and put this legislation on the books. It would bring about a tremendous feeling of relief to the people in my district and there are some new things that ...that come about, that have come about since the last time we discussed this. The...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Just...just a moment Senator. Do we have leave for television cameras? Leave is granted. Proceed, Senator.

SENATOR JEROME JOYCE:

The NRC has listed the routes that the spent fuel coming into the State of Illinois take, and it...it goes through seventeen legislative districts. I think you ought to be aware of what districts they are and...so you'll be able to answer to your constituents on this matter, it's the 33rd District, the 34th, the 35th, the 36th, 37th, 38th, 39th, 42nd, 43rd, 45th, 47th, 48th, 49th, 50th, and 52nd District. I'd like to thank Senator Lynn Martin for bringing the bill back when it was on 3rd reading and letting this amendment be tacked on, it is important and I think that she has a good feel for this area, and I'm sure she's going to take

1. that to Washington, and we're fortunate in that respect. But
2. why don't I answer any questions if there are some.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Maitland.

5. SENATOR MAITLAND:

6. Thank you, Mr. President, and Ladies and Gentlemen of the
7. Senate. Indeed, this is an emotional issue in the State of Illinois.
8. Indeed, it's an emotional issue in Senator Joyce's district. I'm
9. extremely concerned about some of the phone calls and letters
10. that I've received on the issue, and let me...let me indicate
11. to you the kind of calls that I'm getting from too many people,
12. the kind of people who I think, first of all don't understand
13. the entire nuclear issue, but more importantly have been mis-
14. informed. One lady called me just two days ago, and indicated
15. to me that I had better, better vote against the Governor on this
16. particular issue. Her reason was these evil, awful trucks were
17. transporting nuclear waste over Illinois highways, and this was
18. seriously endangering the health of all of Illinois citizens.
19. Well, Ladies and Gentlemen of the Senate, this simply is not
20. a fact. If one were to see the method by which the spent nuclear
21. rods are transported, one would find that there is virtually no
22. chance of any serious injury to anyone other than from the impact
23. of the truck itself. That's the kind of people who are criticizing
24. the whole nuclear issue in the State of Illinois. They have
25. visions of Morris being another Hiroshima, that's a fallacy.
26. We have a severe, severe energy crisis in this country. The
27. bill that this amendment was attached to is a piece of legislation
28. that addresses the problems that we have. The fact of the matter
29. is we're not at Morris dealing with nuclear waste, we're dealing
30. with spent nuclear fuel that if the Federal Government ever gets
31. off their duff, those...those...those rods will be revitalized
32. and once again become energy sources of the future. I strongly
33. urge this Body to attempt, at least, to sustain the Governor's veto

1. to what appears to be a truly unconstitutional issue, and one
2. final point, make no mistake about it, much more nuclear volume
3. travels out of this State to other states than comes into the
4. State of Illinois from other sources. Thank you.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Thank you, Mr. President. A couple of questions of the sponsor.
9. Senator, is it true that...that Morris, Illinois is the only place
10. in the United States that has off-site high level nuclear waste
11. disposal?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Joyce.

14. SENATOR JEROME JOYCE:

15. It is the only place accepting it, Senator. There are two
16. others, one in Barnwell, South Carolina, and the other at West
17. Valley, New York. But they are not accepting it, and have not.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Next question then is...is why are they not accepting it,
22. those other two places you identified?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Joyce.

25. SENATOR JEROME JOYCE:

26. Well, West Valley has tremendous problems. They have got
27. the whole area contaminated and it...it would cost a large fortune
28. to make that facility ready to accept spent fuel. Barnwell takes...
29. Barnwell, South Carolina, takes military waste. They just...there
30. just is no other site in the country and there...everyday there
31. are referendums in one state or another that are prohibiting this
32. type of thing. It is becoming politically impossible to find a place
33. to put nuclear waste. One thing I might add, the Chairman of the

1. State Planning Council dealing with spent fuel, of which I am a
2. member, Governor Riley from South Carolina has...has a line saying
3. that he is not a nuclear physicist, but one law of physics that
4. he does understand is that wherever you put nuclear waste, it
5. stays.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. Final question, is it true that your bill simply says that
10. we will not accept waste from those states that do not allow
11. us to ship our waste there?

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Joyce.

14. SENATOR JEROME JOYCE:

15. That is one hundred percent correct. What...there are several
16. parts, you know, to this...this is a very, very complicated subject.
17. But what it does, it is...it is pushing Washington. Senator
18. Maitland made the comment to get them off their duff. There's
19. no better way to get them off of their duff than to pass legislation
20. like this. You know, we have...we are storing nuclear waste
21. from the Manhattan Project, and every two or three years they
22. would say well, it's right around the corner, we've got a solution
23. to this problem, we'll...you know we'll do something with it, we're
24. going to put it here, we're going to put it there, and that's forty
25. some years ago and it's still...still in the same place that it...
26. that it was put the first time. And Senator Maitland also made
27. reference to reprocessing. I think that's inevitable, it will
28. happen, I don't know when, and if it starts...right now if they
29. tried to do it, it takes eight years of hearings. We don't have
30. that kind of time. They...there is...and if...if...let me go
31. back to this. If reprocessing happens, I think it will happen
32. wherever the waste is, wherever the spent fuel rods are, is
33. where they're going to be reprocessed because it...the politically...

1. the politically impossible task of moving these things again,
2. it just...it just doesn't happen. So, if they are stored at Morris,
3. then we will have probably reprocessing at Morris. You do that
4. and you'll be a prime target for any kind of sabotage, any kind
5. of nuclear warfare because when you reprocess you make plutonium,
6. that's a weapons grade material, and that's what will happen, and
7. I don't want that to happen in Illinois and I don't think anyone
8. else does. We...we haul spent fuel rods from California right
9. through the desert. Now, the Federal Government has time, they
10. have time to set up a...an AFR, away from reactor storage, in the
11. desert, and then eventually they can reprocess there. So, I'm...
12. I'm getting away from the question but...

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Thank you, I'm glad I didn't ask you a long question.
17. I...finally what you're...what you're saying is, that...that what
18. ...what ye would do unto us we want a chance to do unto ye. It's
19. ...you're just simply asking for reciprocity and I, quite frankly,
20. am happy that I don't live close to that facility and I don't
21. blame you at all for...for the concern that you and your con-
22. stituents have expressed. And I...I agree with you, and I agree
23. with what Senator Maitland said, we do have an energy problem in
24. this country and all of us who will sit back and take any time to
25. think, know that nuclear energy is certainly in the future of this
26. country and is going to continue to be in the future. But until the
27. Federal Government comes up with a way to dispose of...of the
28. nuclear wastes, and Illinois probably will be one of the sites for
29. the acceptance of nuclear waste in the future as it is now. But
30. until they come up with an adequate...facility, an adequate method
31. of disposing of that waste, I see no reason why we should be
32. forced in the State of Illinois to accept other people's nuclear
33. waste when they don't have to accept ours. So, I think it's a good

1. idea, and I'm going to support your..your override attempt, Senator.

2. PRESIDING OFFICER: (SENATOR DONNEWALD)

3. There are many that wish to address themselves to this issue
4. so please be guided accordingly. Senator DeAngelis.

5. SENATOR DeANGELIS:

6. Thank you, Mr. President, Ladies and Gentlemen of the Senate.
7. When we take office in the General Assembly we are asked to do that
8. in a responsible manner. I'm sure we're all responsible to seek
9. our own reelection, but we're also responsible to do what is
10. legislatively correct even if politically difficult. This bill
11. does nothing to improve nuclear safety, after all, if it is unsafe
12. to store spent...spent fuel rods from states that have no reciprocity
13. is it safer to store those from states who do have reciprocated
14. facilities? Nuclear spent fuel, is nuclear spent fuel, is nuclear
15. spent fuel. Most of you know this is blatantly unconstitutional in
16. addition, and I think it's quite irresponsible to ask the courts
17. to do what we, in fact, should be doing. In regards to getting
18. the Feds to do something, I would think using that argument in
19. this particular instance would be like leaving a drawbridge open
20. to protest boat traffic. I urge we support the Governor's veto
21. of this particular bill.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Senator Netsch.

24. SENATOR NETSCH:

25. Thank you, Mr. President. Senator Joyce's part of this bill,
26. which is the part particularly in issue at the moment, the
27. reciprocal prohibition on accepting and storing spent fuel is
28. neither clearly constitutional nor clearly unconstitutional. I
29. think it is very difficult to resolve that issue in this abstract
30. form. But I think he is quite right in saying that it does
31. one thing that is extremely important, and that is to use today's
32. vernacular, it sends a message, that is it urges, it begs the
33. Federal Government finally to resolve this question as a matter

1. of national policy which is clearly what should be done. In
2. the meantime, I would remind many of you, particularly on the
3. other side of the aisle that if Senator Joyce's motion does not
4. prevail, the entire bill is down the drain. And this bill, on
5. which a great deal of time and loving affection was spent by
6. the Committee on State Government Reorganization and the Governor's
7. Office incorporates the Governor's Nuclear Safety Program such
8. as it is. It does indeed create the department and while the
9. original bill, I think, did not have a great deal of teeth to
10. it, it certainly was fixed up a good deal through the legislative
11. process, and the Senate itself had considerable input into the
12. dressing up of the basic bill. I think it would be extremely un-
13. fortunate not just to lose Senator Joyce's effort to control
14. this issue for this State, but unfortunate also to lose the
15. basic bill, House Bill 3614, which creates the Department of
16. Nuclear Safety, and does indeed make some additional protections
17. through that department in this area. It is an important issue
18. and it should not fail, if the motion does not prevail, the bill
19. is down the drain.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Mitchler.

22. SENATOR MITCHLER:

23. Thank you, Mr. President, and members of the Senate. I'd
24. like to ask the sponsor a question, please.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. He indicates he will yield.

27. SENATOR MITCHLER:

28. Senator Joyce, you indicated that the spent nuclear fuel rods
29. coming from other states travels through a number of the legislative
30. districts, and you mentioned that it goes through my 39th Legislative
31. District. Has there ever been any accidents that has caused any
32. harm to anyone as a result of this transportation of this nuclear
33. spent fuel through these districts? Yes or no is good enough.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Joyce.

3. SENATOR JEROME JOYCE:

4. No, I suspect that we would all have known about it if there
5. had been an accident.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Senator Mitchler.

8. SENATOR MITCHLER:

9. Well, I want to emphasize that point, that this material,
10. the spent nuclear fuel rods that are transported are transported
11. in such a manner that it's almost next to impossible to have any
12. damage or an accident that would cause harm from the material
13. being transported. Now, they're being transported by a truck or
14. by a train, naturally a truck or a train can run over somebody but
15. the material being transported is being done in a manner that is
16. absolutely safe. I want to bring out that point. So, that should
17. take away any of the fear of this being transported through your districts.
18. I have personally more fear for what is traveling on our highways
19. in the way of gaseous material and so forth, and we hear many,
20. many reports about train accidents which they have to evacuate
21. entire areas until...they can clean up the gas problem that's being
22. spilled. Another question of the sponsor, we're receiving this
23. spent nuclear fuel from out of State, do we receive any spent
24. nuclear fuel from nuclear power plants in the State of Illinois
25. to be stored at Morris?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Joyce.

28. SENATOR JEROME JOYCE:

29. The answer is no. None of the spent fuel rods are coming
30. from the State of Illinois. We store all of our own spent fuel
31. rods on site, these are all out of State fuel rods, other than
32. a few that were defective that were the first ones put in there.
33. But they...that General Electric had to bring them back because

1. they did not work. But all of the rest of them come from out
2. of State.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Senator Mitchler.

5. SENATOR MITCHLER:

6. Thank you, Senator. That indicates then that at our some
7. seven, eight locations that we'll have nuclear power plants, at
8. those locations scattered throughout the State we will be storing
9. the spent nuclear fuel rods generated from the processing at those
10. nuclear power plants. There is no problem in the storage of these
11. ...spent nuclear fuel rods, either on site at the nuclear power
12. stations or at Morris. So, I want to point out that any fear that
13. is trying to be generated that you've got something that's deadly
14. and you call it a dumping ground and all of those slang terms,
15. this is done under a very...a very easy process until it's time
16. to...reprocess this spent nuclear fuel rod material. Now, so we've
17. taken away the fear of transporting and I want to assure you
18. there is no fear in the storage. So, you take away those two
19. things, then what is the fear? I don't know what...what you're
20. afraid of, and what you're trying to...talk. You're generating
21. something...I don't understand, Senator Joyce, why you ride on
22. this because in your district a very minority of those people,
23. and I know your district as well as...it borders right next to
24. mine, are even concerned with this. And the last question, I
25. know you're on a national committee that has to do with some
26. nuclear power and I'm sure that as a farmer you were very well
27. appointed to that, but let...let me ask you, have you checked with
28. Amy on...on this?

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Was that a question Senator? All right. Senator Knuppel.

31. SENATOR KNUPPEL:

32. Mr. President, and members of the Body. This isn't really
33. a question of reciprocity at all. Reciprocity is in here because

1. it's an absolute necessity to the constitutionality of this law.
2. This reciprocity was suggested to Senator Joyce five years ago
3. by myself when he first proposed an absolute ban on the storage
4. of nuclear fuel from outside the State in Illinois and I told
5. him it would violate the constitutional precepts against restraints
6. on trade. So, that's the reason reciprocity is in there only to
7. make it constitutional and not to make it unconstitutional and
8. there are many other laws such as uniform support provisions for
9. children and a lot of other laws that we have, motor vehicle laws
10. that are, and do contain the provisions for reciprocity. It's not
11. really a question so much of danger either as has been pointed
12. out by Senator Mitchler. It is a question of fear, I think it was
13. the great Winston Churchill...said we have nothing to fear but fear itself,
14. and that is what is prevalent in our land today. Is...when you
15. mention nuclear, people are afraid, and it was one of the four
16. freedoms that was suggested by the great President Roosevelt, he
17. said we should have freedom from want, freedom from fear. These
18. people in the State of Illinois are our constituents, we may not
19. be doing a great thing here today if we override this veto as
20. far as its practicality except in one area, that is the impervious
21. nature of our Congress to a problem that is now a problem in the
22. energy field and will remain one for the decades ahead. In a
23. recent campaign one Congressman suggested and actually bragged
24. about the fact that he had required an amendment in the House of
25. Representatives requiring that Illinois be included in a program
26. where they use deep mines for the storage of hazardous waste,
27. hazardous waste not nuclear waste, on an experimental basis. And
28. he was questioned and asked, didn't you realize that in the State
29. of Illinois down at Wilsonville they used just such a mine, and...
30. and that Representative Sharp and...and Senator Demuzio opposed
31. this and ultimately Illinois passed a law which says you can't
32. use deep mines, you can't use deep mines for the storage of hazardous
33. waste. All I'm telling this for, is this Congressman didn't even know

1. that a State Senator from his district had sponsored that leg-
2. islation. It shows how impervious Congress has been to the
3. problem, and it is a problem because it is one of the four
4. freedoms that the people of the United States are entitled to.
5. Now, I say to you, that I personally am an advocate of the use of
6. nuclear fuel. I think we have to use every vestige possible
7. to us to meet the energy crisis so that we're not dependent on
8. foreign countries for energy. But at the same time, there is
9. a fear which is abroad in this land, that...of our people as to the
10. handling of nuclear fuel, nuclear plants, and wasted nuclear
11. rods. And I say, that if this legislation, and I believe it is
12. constitutional because of the reciprocity provision, if this is
13. adopted it will send a message and a message should be sent to
14. Washington as Senator Maitland who spoke against it said, we
15. should send a message. I'll tell you, if you take and take and
16. take, somebody else will keep shoving it off on you, and that's
17. one thing John Knuppel has never done. He has never took anything
18. off anybody, he stood up toe to toe, and if we do this, if we
19. stand up, it's going to hurt some of our people, maybe true, it
20. may...it may have some ill effects, but it will send a message
21. to Washington to our Congressmen that we mean business in Illinois
22. that we want them to address the question of nuclear waste, nuclear
23. energy and to develop an energy policy that the people of the
24. United States can live with.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Senator Rhoads.

27. SENATOR RHOADS:

28. Thank you, Mr. President. I'm all for sending...messages
29. to Washington, Senator Knuppel, and we can do that by resolutions.
30. What I'd like to know is, what the effect of this law would be,
31. and I have two questions for the sponsor if he will yield.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. He indicates he will.

1. SENATOR RHOADS:

2. Senator Joyce, first of all, the...what is the status of
3. our reciprocal agreements with the State of California? The
4. manager of the Morris facility says that the last shipment came in
5. about September, that there will be additional shipments from
6. California and that when...the representation that was made to me
7. that when all those shipments are completed they will still only
8. be at about fifty percent capacity. Do we have reciprocity with
9. California now, can we ship spent fuel to the State of California?

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Joyce.

12. SENATOR JEROME JOYCE:

13. No.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Rhoads.

16. SENATOR RHOADS:

17. All right. Secondly, the...the Public Affairs Representative
18. here in Springfield for GE has passed out a sheet of information
19. and he says among other things, that the language of the amendment
20. would ban the current storage of spent nuclear fuel at Morris. Do
21. you read the amendment that way, that we would have to remove that
22. which is already stored there and ship it someplace else?

23. PRESIDING OFFICER: (SENATOR DONNEWALD)

24. Senator Joyce.

25. SENATOR JEROME JOYCE:

26. No. That is not the intent of the bill at all, and I'm going
27. to yield to my attorney on that, George Sangmeister, to...to give
28. you his interpretation of that.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator Sangmeister.

31. SENATOR SANGMEISTER:

32. Speaking to the point of it be retrospective, the law we've
33. been able to find, People versus Sears, and old case admittedly,

1. 176 north-east 273, one of many decisions that clearly states
2. the Legislature may not give retrospective operation to acts
3. which will affect vested rights. So, anything that is done here
4. cannot affect contracts that are in existence.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rhoads.

7. SENATOR RHOADS:

8. One final question of Senator Joyce. With respect to the
9. two constitutional issues raised in the Veto Message. Again, I'm
10. relying on Mr. Willsey's memo here, but he says it violates the
11. exclusive jurisdiction of the National...Nuclear Regulatory Commission
12. over the handling of special nuclear and by-product materials.
13. You mentioned plutonium, and that doesn't bother me 'cause it's
14. only one percent, and I...I don't really see the...the military
15. capabilities that you do. But what about that exclusive jurisdiction,
16. and...and what is your answer to it being unconstitutional on those
17. grounds?

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Senator Sangmeister. I'm sorry, Senator Sangmeister.

20. SENATOR SANGMEISTER:

21. In that regard we would refer you to a rather recent case
22. in the State of Illinois, Megan versus the Village of Tinley Park,
23. 1972 case, cited as 52 Illinois Second 534, admittedly an Appellate
24. Court decision, which stated that neither the contract clause
25. referring to the Federal Constitution Article I-Section 10 nor
26. the due process clause which is Amendment 14 to the Federal
27. Constitution has the effect of overriding the power of states
28. to establish all regulations that are reasonably necessary to
29. secure the health, safety, comfort, and general welfare of the
30. community.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Gitz.

33. SENATOR GITZ:

1. Well, Mr. President, and members of the Senate. I believe
2. it was Senator Netsch that said if this override did not succeed
3. the bill was down the drain. I think the important point is, is that
4. if this bill does not succeed today in the override there is much
5. more than that down the drain, and that is the opportunity for
6. this Senate today to send a very strong message that needs to
7. be heard. Senator Maitland alluded to the problem that we
8. have indeed not dealt with in speaking to the waste issue, both
9. high level and low level. The point that I wish to make is, is that
10. if this is indeed unconstitutional, we need to look at the roster
11. of states which range from Alabama, to Montana, to Oregon, to Connecticut,
12. to New York, whether they are so-called eastern seaboard or whether
13. they are the deep south, they all have spoke very clearly in
14. public policy. And indeed today, we seem to be the only state
15. and largely because of the absence of restrictions, that has designated
16. an area potentially, that borders about six million people in
17. a metropolitan area as a major facility site, and that's just
18. simply crazy. Of all the places in the United States that are
19. available, for this to be the interim storage site because of
20. our unwillingness to speak, I think is a very tragic mistake.
21. If this bill is passed, it's not going to infringe in the present
22. contracts, but what it will do is very clearly do this, it will
23. say at the national level, that you will be unable to avoid the
24. issue any longer because Illinois is one of the last remaining
25. states with such a possible storage facility is simply unwilling
26. to be everybody's repository unless they have a reciprocity
27. agreement. The only other alternative is that other states, if
28. they indeed have a problem are going to have to honor that agreement.
29. And that in itself would be a service to this State. I think that
30. you should speak, you should force the Federal Government to act.
31. I think we also should send this message to our own constituents,
32. which is that we are willing to respond to this issue, to do so
33. in a responsible fashion without emotionalism, and to start setting

1. public policy. The comment was made in debate that this would
2. interfere with the absolute control of the Nuclear Regulatory
3. Commission, I think that that seems to go to the heart of Senator
4. Joyce's argument. Indeed he wants a measure of say-so in what
5. happens in his own given area, not to have that in the exclusive
6. province of the Federal Government so that it is simply meaningless
7. whatever happens in Illinois State policy. We have the responsibility
8. of twelve million people on our hands. I think this is not ir-
9. rational, emotional, unconscionable, legislation of any means,
10. it is a very responsible policy. It is to the credit of Senator
11. Joyce that he spent five long years putting this bill on the desk
12. again and again. First when the House didn't want to act to it,
13. forcing the issue again. It is only because of that kind of perseverance
14. that we are even on the threshold of doing something responsible
15. to meet this need.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Nimrod.

18. SENATOR NIMROD:

19. Thank you, Mr. President, and Ladies and Gentlemen of the
20. Senate. I would caution us because I think what we're doing here
21. is, in fact, creating fear by passing such a law. What we're doing
22. is saying that we don't need to have any knowledge or understanding
23. of what the truth is, just pass it because it's fear that we're
24. concerned with. I would hope that those who have been speaking
25. up to now and making some statements who, Mr. President...Mr.
26. President, could we ask for some order?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. ...have some order, please. Senator Nimrod.

29. SENATOR NIMROD:

30. I think what's important is that we are not going to have
31. to be concerned about the fact that if this doesn't pass that
32. there won't be any policy at all because the Executive Order
33. will stand. And we seem to have a contradiction here because on

1. one basis we're saying that we want to set up a committee to
2. determine the facts and knowledge, and then we're also passing
3. along with it, we're shutting the door and saying we don't need
4. any knowledge, we're just going to eliminate and prohibit the
5. storage of any...of any fuel...spent fuel rods. Now, I don't
6. know whether you're aware or not, but I...my conversation
7. with Gene Voitland and my visit to that facility, that that facility
8. is impossible for anything to ever happen to it even if there were
9. an earthquake. And if you're concerned about the spent fuel rods
10. that between ten and twenty years there will no longer be any...any
11. effect of radioactivity from any of those fuel rods that are stored
12. there. There is only one contract that exists today and that's
13. ~~the one that was alluded~~ to before that's coming in from
14. California, and in the meantime the President of the United States
15. has included Jerry Joyce...has included Senator Joyce on a committee
16. to look at this problem, and here he is trying to close the door
17. before that committee even goes ahead and reaches a conclusion.
18. The Governor is setting up the Safety Committee to look at that
19. problem and others that concern the State of Illinois, and here
20. we are trying to take action to close the door before we even
21. have this committee which we're passing come up with...recommendations
22. as to what it's all about. The only danger that there is, is the
23. danger of ignorance, and what we're doing here is not informing
24. ourselves, and we have far more serious and dangerous equipment
25. and materials and incidents and activities that take place in
26. our State and are stored here than this one that we're looking
27. to. And this is a normal process, we've heard about the transportation,
28. there has never been an accident. And I want to ask you another
29. question, why should we be stopping this fuel from coming here
30. if there's nothing to fear from it? Why should we be removing
31. the storage of this facility? Senator Sangmeister has alluded to
32. a couple of cases that are court cases, but I...I don't believe he
33. could stand up here and tell me that that's going to be the decisions

1. of the courts when they come up. I don't think that we're here
2. to make court decisions, we're not judges. I think what we ought
3. to do is be sending the messages that we're talking about and
4. saying that Illinois is determining the facts, and that we are
5. ones who are proud of the fact that we have fifty percent of
6. our power...coming from nuclear waste. We have been providing
7. the kind of storage on site, and the information and the education
8. that we're providing will, in fact, solve the very problem that
9. we're looking to. So, if there really is no concern about that
10. spent fuel within the next ten or fifteen years, which is the short
11. range, then why are we passing such ludicrous kind of agreements
12. and mentioning about reciprocity when, in fact, Texas could say
13. to us let's...let's no longer...we won't ship you any natural
14. gas unless you ship us water from Lake Michigan. We're not sovereign
15. nations, the national committee is making some...the national
16. government is studying the problem. Senator Joyce is a part of
17. that committee. We want to get on and make sure that we have
18. the problem solved with the experts and the people who are involved
19. from our State, and we ought to be gaining knowledge and acting
20. intelligently... rather than acting irrationally. If, in fact,
21. it's taken five years for Senator Joyce to get to this position
22. and we still don't have one good reason why we should not store
23. this fuel, I mean a knowledged...technical reason why it should
24. not be here, there isn't one that's been given to us, we're just
25. asked blindly because that...we're going to create some fear. Well,
26. let's remove that fear and educate our people, and the knowledge,
27. of course, will make us free. And that's what's important, and
28. the message ought to go out that Illinois is an intelligent and
29. reliable State, and we've taken the kind of action necessary to
30. provide for the safety of all our citizens. There is no reason,
31. no good reason that I have heard why that fuel should not continue
32. to be stored at Morris or why we should terminate any contracts
33. that are involved in the private sector. There's no danger to the

1. individuals involved, and there is no proof that there are not
2. far more serious things involved, and I don't know of one technical
3. reason that we should remove that particular fuel or pass this
4. particular bill. It seems to me that you're taking action that,
5. in fact, is going to cause more fear by passage than if we were
6. to educate and inform people. Senator Joyce, you've been appointed
7. to a committee to help solve the problem, it seems to me that that's
8. the job you ought to be doing rather than passing a bill that, in
9. fact, is going to cause more problems than leaving the situation
10. as it is.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Further discussion? Senator McMillan.

13. SENATOR McMILLAN:

14. Mr. President, and members of the Senate. On this particular
15. issue there are strongly held and justifiably held differences of
16. opinion. On this particular issue there are lots of questions for
17. which none of us have any answers. When we vote, and I intend
18. to vote against override of the veto, but when we vote we'll do
19. so for reasons of our own, but in many cases they certainly won't be absolute.
20. But there is one issue that's been raised a couple of times for which
21. I think there are some answers, and I think we should vote without
22. being confused about that question. It's been alluded to twice that
23. if we don't override this veto we essentially will not be enacting
24. legislation that would provide for a Department of Nuclear Safety.
25. Now, if you're going to vote for or against this bill, or against
26. this override, do it because of how you feel we ought to treat the
27. facility up in Grundy County, but don't do it on the other basis because
28. whether or not this is overridden, the State of Illinois will have
29. a Department of Nuclear Safety. That department will be in operation
30. in order to provide the kind of supervision and the kind of regulation
31. that we need. It may not, in fact, have some of the...the polished
32. perfections in it that we would like to have as maybe was written
33. in the legislation by the committee and by the Body. But the

1. Executive Order will go into...into effect, the agency will be
2. there, and the questions about this particular bill ought to
3. be related to what you do or don't want to do about that facility
4. in Grundy County, and not the side issue of...of the fact that
5. ...that not overriding it would not provide us with an agency.
6. That agency will be there and it will do the job, and that question
7. ought to be separated from this one.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Senator Demuzio.

10. SENATOR DEMUZIO:

11. Well, thank you, Mr. President, and Ladies and Gentlemen of
12. the Senate. Listening to Senator Nimrod talk about the court
13. and what the court would do in Illinois in reference to this
14. constitutional question, I'm reminded of going, Senator Nimrod,
15. to the Missouri football game, Missouri - Illinois, in...in
16. Columbia. And I'm reminded that before the game, I was asked
17. several questions as to whether or not the Illinois quarterback
18. was going to play. And I...assuredly said that, in fact, he
19. would because in my own mind I didn't know based upon the merits
20. of any judge in the State of Illinois that was going to be ruling
21. against the Illinois quarterback. It appears to me the same way
22. when the court reviews the constitutionality of this question that
23. the Judiciary in Illinois, based upon the merits, is not going to
24. go along with making Illinois the dump land of the entire nation.
25. And I want to point out that another Senator, I think it was
26. Senator Mitchler, alluded to the safety aspect in terms of
27. ...of the number of accidents. I want to point out that I have
28. in front of me a sheet that says...it's called the Obituary of a Cast
29. ... of Cast Safety. It points out that the casts that are used to
30. transport these assemblies are not indestructible as the nuclear
31. industry has long maintained. Just recently the NRC released
32. an order prohibiting the further use of the cast model NR6-4 because
33. it was defective. And although there were various tests that were

1. made in reference to the storage in...of the nuclear rods in
2. the cast made by various laboratories around the nation, the
3. fact that the National Transportation Safety Board had disavowed
4. the crash test films. So, I think that we have had perhaps minor
5. ...skirmishes with...in Illinois in terms of accidents, thank
6. goodness that we haven't had an accident that's killed anyone as
7. of yet. But I don't think it's fair to say that it is entirely
8. a safe way to transport or to move nuclear material. And, frankly,
9. why should Illinois, why should the citizens of this State be sub-
10. jected to the risk of radiation that's been generated in other states,
11. as well as in other countries. And I think that we ought to pass
12. this, we ought to override the Governor's veto, we ought to, if
13. it's necessary, let them take it to the court, and I certainly agree
14. with Senator Knuppel, who has for a long time been a very active
15. supporter of nuclear power in the State of Illinois, and I commend
16. him this morning for the remarks that he has made in relationship
17. to the constitutional question. I think that has been resolved by
18. virtue of the way...in the language in which this is presented,
19. and I strongly urge that we override the Governor's veto on House
20. Bill 3614 and leave it to the Judiciary to determine whether or
21. not the Illinois quarterback is going to continue to play.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. United Press International would like permission to take still
24. photographs. Is there leave? Leave is granted. Senator Rock.

25. SENATOR ROCK:

26. Thank you, Mr. President, and Ladies and Gentlemen of the
27. Senate. I rise in support of the motion to override House Bill
28. 3614 and the Governor's Specific Recommendations thereto, and I
29. would point out to you Ladies and Gentlemen of this Senate, that
30. we today December 3rd, on this Wednesday afternoon, have a really
31. unique opportunity. We are talking here with respect to this
32. one provision about basic fundamental public policy, what will
33. our State's posture be with respect to the storage of nuclear waste.

1. Thirty some odd states have already expressed in one form or
2. another their policy. We are, at this moment, bereft of any
3. policy, and what we are saying essentially is, we will accept,
4. we will accept for storage, nuclear waste if you, the shipper, will
5. give us the same courtesy. I think Senator Knuppel adequately
6. explained that the reciprocity provision in my judgment and
7. in the judgment of many, does, in fact, answer the constitutional
8. question. But the overriding question, the big question, the
9. opportunity that we have today, and which I urge you to seize is
10. one of basic fundamental public policy. What are we as the eleven
11. plus million people of this State going to say about this question,
12. and essentially what we are trying to say, is we will accept if
13. you will accept. And if you will not accept, we will not accept.
14. It seems to me awfully logical, awfully consistent and it is...
15. sound public policy, and I urge an Aye vote.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Further discussion? Senator Rhoads.

18. SENATOR RHOADS:

19. Mr. President, I rise for the second time because I'm in
20. a little bit of a bind, I've written some letters to people
21. saying that...yes, that's...you see, I never learned that you
22. shouldn't answer the mail before the bill comes up. You ought
23. to wait until...but because I am now about to switch my position,
24. I think that...I think I better say something before the vote
25. and I...to those who want this veto sustained, I'm sorry I waited
26. so long, but frankly, Senator Joyce and Senator Sangmeister have
27. answered my questions, I think, very well. I think they have
28. satisfied my objections on the constitutional grounds. I think
29. they have persuaded me that this is a matter of basic reciprocity
30. which I've long been an advocate of. So, I'm switching from a
31. No to an Aye on the override motion.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Further discussion? Further discussion? Senator Joyce may
close.

1. SENATOR JEROME JOYCE:

2. Thank you, Mr. President. We talked about low level waste
3. and what we're going to do, you know if we shut down our borders, well
4. you know...seven-tenths of one percent is what the low level waste
5. amounts to nationally in comparison to the...to the...that is the
6. seven-tenths of one percent comes from hospitals and industry, the
7. rest of it comes from the nuclear reactors and so forth. One of the
8. other problems that was mentioned, you know, we are trying to keep
9. the...you know, this plant is for sale by General Electric, they're
10. trying to get the Federal Government to buy it right now. If that
11. happens we're going to be taking spent fuel not only from all of
12. the states in the United States, we're going to be taking it from
13. foreign countries as well. And you know, we talk about impossibilities
14. of accidents, and the risk is not likely, and you know it was also
15. impossible to sink the Titanic. So, I would ask for your help in
16. overriding this bill. Thank you.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is, shall House Bill 3614 pass, the Specific
19. Recommendations of the Governor to the contrary notwithstanding.
20. Those in favor vote Aye. Those opposed vote Nay. The voting is
21. open. Have all voted who wish? Have all voted who wish? Take
22. the record. On that question, the Ayes are 38, the Nays are 18,
23. none Voting Present. House Bill 3614, having received the required
24. three-fifths vote is declared passed, the veto of the Governor to
25. the contrary notwithstanding. For what purpose does Senator
26. Maitland arise?

27. SENATOR MAITLAND:

28. Verification, Mr. President.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Maitland has requested a verification of those who
31. voted in the affirmative. Will the members please be in their
32. seats. Under Senate rules will you please answer when your name
33. is called. The Secretary will call those who voted in the affirmative.

1. SECRETARY:

2. The following voted in the affirmative: Berman, Bloom,
3. Bruce, Buzbee, Carroll, Collins, D'Arco, Degnan, Demuzio, Donnewald,
4. Egan, Friedland, Geo-Karis, Gitz, Grotberg, Hall, Johns, Jeremiah
5. Joyce, Jerome Joyce, Knuppel, Lemke, Maragos, Martin, McLendon,
6. Merlo, Nash, Nedza, Nega, Netsch, Newhouse, Rhoads, Sangmeister,
7. Savickas, Schaffer, Sommer, Vadalabene, Wooten, Mr. President.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Maitland, do you question the presence of any member?
10. On a verified roll call, there are 38 Ayes, 18 Nays, none Voting
11. Present, House Bill 3614, having received the required three-fifths
12. vote is declared passed, the veto of the contrary...of the Governor
13. ...the Specific Recommendations of the Governor to the contrary
14. notwithstanding. For what purpose does Senator Collins arise?

15. SENATOR COLLINS:

16. Point of personal privilege.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. State your point.

19. SENATOR COLLINS:

20. Mr. President, and Ladies and Gentlemen of the Senate. We
21. have the rare opportunity to have in our presence today State
22. Representative-elect Arthur Turner and his wife from the great
23. west side of Chicago, the greatest district in the State, the
24. 21st Legislative District, which is my district. And I would ask
25. that he rise and be recognized by the Senate.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Happy to have a new member with us. ...leave to return to...
28. for what purpose does Senator Grotberg arise?

29. SENATOR GROTEBERG:

30. Inquiry of the Chair, Mr. President.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Yes.

33. SENATOR GROTEBERG:

HB 2831
Amend. #2
12-3-80

1. At a point in time we're committed to go to Postponed Con-
2. sideration, is that imminent why we still have people, or will
3. they all be gone again?

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Well, I hope not all of us, you and I will be here, Senator.
6. But we are going to give everyone the first shot before we go to
7. those that get a second shot.

8. SENATOR GROTBORG:

9. Okay.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there leave to go to the Order of House Bills 3rd reading?
12. Leave is granted. Two bills on that list, House Bill 2708 and
13. 2831, sponsors have indicated they wish to call. Senator Knuppel
14. would like to recall his, and we will go to that first so we can
15. have intervening business. Senator Knuppel is recognized on House
16. Bill 2831.

17. SENATOR KNUPPEL:

18. Mr. President, I'd like to...I'd like to have House Bill 2831
19. called back to 2nd reading for the purposes of an amendment.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there leave? Leave is granted. The bill is on the Order
22. of 2nd reading. Are there amendments, Mr. Secretary?

23. SECRETARY:

24. Amendment No. 2 offered by Senator Knuppel.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Knuppel to explain Amendment No. 2.

27. SENATOR KNUPPEL:

28. Well, I think what I want to do is Table Amendment No. 1 because
29. this is in lieu of that. And I'd ask leave to Table Amendment No.

30. 1.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Knuppel moves...Amendment No. 1 has been already adopted
33. so the motion by Senator Knuppel is to reconsider the vote by which

1. Amendment No. 1 was adopted. Those in favor say Aye. Opposed Nay.
2. The Ayes have it. The motion to adopt is reconsidered. Senator
3. Knuppel now moves to Table Amendment No. 1. All in favor of that
4. motion say Aye. Opposed Nay. The Ayes have it. Amendment No.
5. 1 is Tabled. Amendment No. 2.

6. SENATOR KNUPPEL:

7. Now, I move the adoption of Amendment No. 2, and an explanation there
8. of, what Amendment No. 2 does, it provides that the expenses incidental
9. to making any loan under the Loan Guarantee Act will be paid out
10. of such loan. That's customary, the borrower normally pays the
11. expenses so that the State, in case a loan were made, under the
12. Loan Guarantee Act will not be stuck for expenses over and beyond
13. the twenty million dollars, it will come out of the twenty million
14. dollars or so much thereof as may be loaned. I move the adoption
15. of this amendment.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to adopt Amendment No. 2. Discussion of the
18. motion to adopt? All in favor say Aye. Senator Carroll, on the
19. motion to adopt.

20. SENATOR CARROLL:

21. Question, Mr. President, of the sponsor. This is the one
22. that adds the expenses into the language? Okay, question on that
23. just for the... so that we set the record straight. The types of expenses
24. you are talking about coming out of the loan are not the expenses
25. of State departments such as DCCA in any monies they may be expending
26. to help...facilitate the loan, is that correct?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. That's right, not...not the State...incurred expense, but
31. at any...external expenses that may be incurred.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Carroll.

1. SENATOR CARROLL:

2. That would be the normal points, legal fees, brokerage commissions,
3. and things of that nature that would accompany any bond issue, and
4. those are coming out of the proceeds of the bond rather than an
5. additional expense of the State?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Knuppel. Senator Knuppel, for the record.

8. SENATOR KNUPPTEL:

9. That's correct. That's correct.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. All right. Further discussion of the motion to adopt Amendment
12. No. 2? All in favor say Aye. Opposed Nay. The Ayes have it.
13. Amendment No. 2 is adopted. ~~Are there further amendments?~~

14. SECRETARY:

15. No further amendments.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. 3rd reading. House Bill 2708, Senator Coffey. House Bill
18. 3rd reading, Vehicle Code. All right, House Bill 2708. Read
19. the bill, Mr. Secretary, a third time.

20. SECRETARY:

21. House Bill 2708.

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Coffey is recognized.

26. SENATOR COFFEY:

27. Yes, Mr. President, and members of the Senate. This House Bill
28. 2708, there was an amendment attached which, for all practical
29. purposes is the bill, we deleted everything after the enacting clause
30. and...and added this amendment which limits the safety inspection
31. testing and display of safety stickers requirement to Illinois re-
32. gistered vehicles. It's...applicable presently to all second
33. division vehicles except under the specific law. Now, what this will

1. do, any vehicles outside the State of Illinois comes into Illinois
2. will not have to have the second division inspection sticker, that
3. does not mean that they will not have to fall into the same re-
4. quirements as other State vehicles, in other words, if they have
5. taillights out, tires that are not safe, and so on, they still
6. can be arrested for those violations. But they do not have to have
7. that safety sticker on their windshields unless they are a Illinois
8. vehicle. I'd be glad to answer any questions on this that anyone
9. might have.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there discussion? Is there discussion? Senator Chew.

12. SENATOR CHEW:

13. Yes, Mr. President, this bill came out of my committee and
14. I would certainly sanction Senator Maitland's statements. What we
15. need to do here is to pass this bill because some of the things
16. that he said, all the things that he said were absolutely correct,
17. about the taillights, and et cetera, and et cetera, and what we're
18. trying to do is to make the safety test for certain vehicles absolutely
19. certain. So, I would urge...follow his instructions on it.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there further discussion? Further discussion? The question
22. is, shall House Bill 2708 pass. Those in favor vote Aye. Those
23. opposed vote Nay. The voting is open. Have all voted who wish?
24. Have all voted who wish? Take the record. On that question, the
25. Ayes are 48, the Nays are none, 2 Voting Present. House Bill 2708,
26. having received the required constitutional majority is declared
27. passed, and having received the affirmative vote of three-fifths
28. of the members elected is effective immediately upon its becoming
29. a law. Return to House Bill 2931? Leave is granted. For what purpose
30. does Senator Nedza arise? Nedza.

31. SENATOR NEDZA:

32. Yes, Mr. President, I happened to be on the telephone, and
33. before I can get back to my...my seat I...record me as voting Aye
on the bill.

AB 2831
3rd Reading
12-3-80

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. On...which one Senator, the one that...the electronic record
3. will show that Senator Nedza...had wished to vote Aye on the last
4. bill. House Bill 2831, Mr. Secretary read the bill.

5. SECRETARY:

6. House Bill 2831.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Knuppel.

11. SENATOR KNUPPEL:

12. Well, the reading of the caption, Ladies and Gentlemen and Mr.
13. President, is a little misleading. This bill is the bill making the
14. appropriation to fund the legislation for the Chrysler Loan, or for
15. the Corporate Loan Fund. Last summer at the request of certain...of
16. the Legislators I withheld making an appropriation till we knew
17. whether or not the Governor would sign the basic legislation. After
18. much consideration he agreed with me that this was the thing to do
19. and signed the legislation creating the Corporate Loan Fund. Now,
20. this appropriation, and I have distributed letters, work has been
21. underway with reference to this loan and appraisals have been made.
22. So that you may recall what the language of the legislation was
23. creating a Corporate Loan Fund I'll remind you that in that instance
24. the money was appropriated and it provided that the Governor may,
25. may use the money out of the...out of the appropriation to make such
26. a loan. Some of the conditions were that the...that the corporation
27. would have to make a first mortgage loan, the Federal Government
28. has indicated its waivers to allow any loan made to Chrysler in the
29. State of Illinois to be a first lien just like on your home when
30. you borrow at a bank, to be a first lien on the Belvidere Plant.
31. The corporation must have submitted to the director, that's Mr.
32. Castle, Director Castle, an operating plan that makes it sound
33. at least, or appear to be feasible. It must...the director must have

1. received assurances from sources independent of the corporation,
2. that the operating plan is realistic and feasible, that the
3. corporation...that the property that's to be pledged equal to
4. a hundred and twenty-five percent of the amount of the proposed
5. loan. And it must be upon the approval of the Governor and the
6. director of the budget, and then such loans should not extend
7. over a period of five years. All of these conditions must be
8. met, all this appropriation does is make twenty million dollars
9. available from the Lottery Fund for the purpose, for the purpose
10. of loaning money, if the Governor and the director feel that it's
11. feasible, to the Chrysler Corporation. It's strictly a discretionary
12. act on their part. I submit that we have written in every possible
13. assurance, that we should follow through, make the money available
14. so that if the Governor feels that this is what he should do, he
15. can. You may have noticed in the papers, in this morning's papers
16. that finally Congress has undertaken and passed a resolution providing
17. that we should limit imports. This action on the part of the Federal
18. Government makes more secure the proposal which is carried here
19. by the State of Illinois and makes it a safer bet that Chrysler
20. and other automotive industries which are suffering economic problems
21. in the United States will have a chance to survive, it's absolutely
22. essential in my mind as I've said before from this Floor, that, at
23. least, three different facets of government must be kept strong
24. if we are to protect ourselves in any kind of a conventional war.
25. One of those is the automotive industry, the other is energy, and the
26. third one is steel. Most of you are familiar with what this is,
27. where the money's coming from, it's not coming out of the regular
28. budget that the Governor talked about two weeks ago. The amendment
29. that I just put on the bill provides that any expense of the loan will
30. come out of the loan itself. I..I'm actively requesting from each of
31. you, that this very important industrial complex in the northern
32. part of Illinois, and the ripple effect it will have on many
33. other communities be...be supported in our State and it will give the

1. State of Illinois some control over this position,should...the
2. Chrysler Corporation go bottom up,we will have the first lien,
3. we'll have something to say about the disposition then,that's
4. made of the facilities at Belvidere. And I think this is good,
5. it puts us in the market, it puts us in a position that we have
6. some control over the situation. I would ask you to support
7. the legislation. Thank you.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Discussion? Senator Schaffer.

10.

11.

12.

13.

14.

15.

(END OF REEL)

16.

17.

18.

19.

20.

21.

22.

23.

24.

25.

26.

27.

28.

29.

30.

31.

32.

33.

1. SENATOR SCHAFFER:

2. Well, Mr. President, and members of the Senate. I suspect
3. I've got more on the line here than anyone else, the Belvidere
4. Plant happens to be in my district, and needless to say I'd like
5. to see Chrysler do well, prosper, and I voted for the original bill.
6. But I would respectfully remind the members of this Body of Senator
7. Buzbee's comments, which I think were well made last spring. And
8. Senator Buzbee, correct me if I'm wrong. I think in explaining
9. his vote, he said fine, we can pass the bill now, we'll hold the
10. appropriation on the Calendar till the fall, when we come back in
11. the Fall Session the contract will have been negotiated if the
12. Governor signed the bill, which he indeed did, by the Governor
13. and the...Mr. Castle of DCCA, and we'll know exactly what we're
14. getting. Well, here we are in December, no contract, appraisals
15. coming down the road somewhere, and with the passage of this bill
16. we are out of the Chrysler bail-out ballgame in total. We...if we
17. pass this bill right now, if the Secretary of Commerce or whatever
18. his official title is, decides that he wants to put a lien on the
19. cab stand in front of the Belvidere Chrysler Plant, and that's
20. good enough, that...that's what it's going to be. I don't think
21. there's any crisis according to the letter we have in front of
22. us, they have three or four more weeks before they get their...
23. their appraisals back. Let them get the appraisals, let them draw
24. up the contract; let them submit the contract to the Legislature,
25. let us get a look and see if, in fact, they have met the intent of
26. these...the legislation and what we want, and then let's vote on the
27. appropriation. They won't get the dollars any one day later than that,
28. because they certainly aren't going to get them until they negot-
29. iate it, but if you'll pardon me, I'm not prepared to give them the
30. money on a contract I haven't even seen. And I've attempted to find out
31. what they're negotiating, and all I've got is one letter from
32. Chrysler that says from their point of view things are going good.
33. Well, I want to know how's it going from the point of view of the

1. Illinois taxpayers, are we about to get stuck with a twenty million
2. dollar boondoggle or not, and I'm not going to vote for the money
3. until I see that contract in black and white on my desk and I have
4. it explained to me. And I suggest to you, the rest of you might
5. give some thought to that.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Further discussion? Senator Buzbee.

8. SENATOR BUZBEE:

9. Thank you, Mr. President. Senator Schaffer is absolutely
10. correct. My understanding last spring was that we would not
11. attempt to pass this appropriation till we had the contract in
12. hand, were able to see what we had. And I...I have been concerned
13. about this because when I sponsored the amendment last spring on...
14. into Senator Knuppel's bill, that was my understanding at that
15. time from the folks who were representing Chrysler, and I gave
16. my word that that's the way that I would conduct myself and
17. cast my vote. I want to have a reason to vote for this loan, for
18. this bill, but I don't have that reason as of this moment. I have
19. not seen the contract, Senator Knuppel specifically used the
20. term lien as opposed to...first lien he said as opposed to first mortgage
21. Now, I'm not an attorney Senator, as you know, and I don't know
22. exactly what the difference is, but it was my understanding it
23. was to be a first mortgage, but...I...I still have not...I do not
24. have the assurances yet that Senator Schaffer pointed out, that
25. I felt we were going to have at this point. So, my intention at
26. this...is just simply not to vote on this bill today until we get
27. that sort of assurance. To the best of my knowledge I'm a little
28. bit behind in my mail a day or two, but to the best my knowledge
29. I have not received anything in the mail from anybody, including
30. the director of the department, the Governor's Office, or...or...
31. other than this one letter from Chrysler Corporation which says
32. that they think things are going well, but it's...it's our taxpayer
33. dollars that we're talking about. So, I'm...I'm not prepared to

1. vote for this bill today, if we could get that contract and that
2. assurance tomorrow I would be then, but not today.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Martin.

5. SENATOR MARTIN:

6. Question of the sponsor?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Indicates he will yield. Senator Martin.

9. SENATOR MARTIN:

10. Senator Knuppel, as you know, Senator Schaffer has the
11. plant and I've got the people who work there. Now, I have both,
12. that's right. What would be wrong, both Senator Buzbee and Senator
13. Schaffer, indeed, are...the recollection of the facts as stated
14. are exactly correct. Since the dollars from the appropriations
15. would come no sooner than the contract, would you consider as sponsor
16. holding that until the contract's here as was stated would be done
17. when the original bill would be passed?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Knuppel.

20. SENATOR KNUPPTEL:

21. Well, of course, it's difficult to me...for me to explain,
22. but I...I've handled a lot of business transactions, I've tried to
23. explain it. A bank can't loan money until it takes it in from
24. somebody and they deposit it or it gets it from someplace else. What
25. you people are saying is, is that you don't believe in the bill
26. which we passed and the Governor signed in effect. Now, I don't
27. care, I mean I don't get anything out of it as far as personally,
28. this is the last opportunity to...to pass this appropriation. If
29. the money were needed between now and say next April, there would
30. be no way to get the money. You have to have the money in the bank
31. before you can loan it. The bill itself contains the contract, it
32. is the contract, it says certain things will be made, that they'll have
33. to present an appraisal from an...independent source as well as

1. their own showing that the land is worth a hundred and twenty-five
2. percent of what the...of what the loan is to be. And there is
3. no way, there's no way...all of these other conditions have to be
4. met. If they're not met, the Governor and the director cannot
5. act. It's discretionary with them even then, even then there's
6. no mandatory direction on the Governor or the director that they
7. have to make this loan. It says they may make it if all of these
8. conditions are met. I don't know how you're going to loan the money
9. if you don't appropriate it. It's the old story about the people
10. who want a water system but don't want to pay for the bonds. Now,
11. this is your district, these are your people, the money has to
12. be in the bank, it's coming out of the Lottery Fund, it's your
13. Governor. He has to see that all of these conditions are met and
14. then one more thing, he must, in his discretion determine that he
15. ought to make the loan and that the conditions have been made, that's
16. the contract. I...I...I make mortgages for banks all the time, there's
17. not a separate contract with the bank, the mortgage itself is the
18. contract.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Senator Martin.

21. SENATOR MARTIN:

22. Well, I guess the answer is no after all that. I think I
23. figured that out. But the...I'm not even suggesting, Senator, that
24. part of what you say...the way you make contracts and the way
25. you make mortgages, I'm talking about the fact that a commitment
26. was made to the Senate that they'd see the contract. I'm mean...
27. oh, yes that commitment was made and I see Senator Buzbee...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Let's have some order, please. Senator Martin has the Floor.

30. SENATOR MARTIN:

31. Well, Senator, I...I will tell you...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Now, Gentlemen and Lady, Senator Martin has the Floor. Well,

1. Senator Buzbee if you'll allow Senator Martin to conclude maybe
2. we can get to your...Senator Martin, have you concluded?

3. SENATOR MARTIN:

4. Well, I would just like to say, that's my recollection. I
5. would never accuse any other Senator of anything, except maybe a
6. memory that's a little ify.

7. PRESIDING OFFICER: (SENATOR BRUCE)

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

9. SENATOR BUZBEE:

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

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. State your point.

13. SENATOR BUZBEE:

14. As a matter of fact, I think I made that commitment from
15. my perspective when I sponsored the amendment. I said that...that
16. it was my understanding and the information I had from the Chrysler
17. people at that point was that they did not expect an appropriation
18. until...or they were willing to settle for no appropriation until
19. they had the contract signed. The fact of the matter was, I had
20. a Chrysler dealer, a major Chrysler dealer in my area that called
21. me a couple of days later, who happens to be on the Dealers Advisory
22. Committee to the Corporate...to the Board of the Chrysler Corporation. And
23. he told me that it was his belief and his opinion that that money
24. was going to be needed badly in July of 1980, last July, and he
25. said if you don't appropriate the money now it's not going to do
26. them any good. And I said as soon as I see the contract, I'm willing
27. to proceed on. Now, here we are in December, and they are still
28. struggling along. So, that...that July crisis passed temporarily
29. and Senator Knuppel and I may recall it differently because he
30. was not the one who made the commitment it was me when I sponsored
31. the amendment. And as I said earlier in my previous statement, I
32. intend to vote Present until I see the terms of that commitment
33. fulfilled.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Walsh.

3. SENATOR WALSH:

4. Mr. President, and members of the Senate. Unlike the people
5. who spoke just prior to me, I voted against the bail-out bill last
6. spring, and I'd be inclined to vote against the appropriation bill
7. at any...at any occasion. Possibly not if I could see that there
8. was adequate collateral, but certainly we don't know anything more
9. about this situation today than we did last...last June except the
10. letter we have on our desks from the Chrysler Corporation indicating
11. that their lawyers are working on the...on the matter, and the bill we
12. have, which is purely and simply an appropriation bill from the
13. Corporate Loan Fund. Let's understand that the money is flowing
14. into that fund now from Lottery revenues so that the twenty million
15. dollars is being built up. We created that fund when we passed
16. the bill and it was signed into law by the Governor. Now, the money,
17. of course, doesn't have to be spent, we might correct our error
18. at the next Session and...and have that money go to education as
19. I think all of our...all of our constituents think Lottery Funds
20. are to be used for anyway. But let's...let's recognize that we
21. don't have any better security, we don't have any better collateral
22. than we did in June. There's no first mortgage on the Belvidere
23. Plant and unfortunately, as I'm sure we all know, the Belvidere
24. Plant is...is closed now, hopefully to reopen. But even though we
25. all wish Chrysler well, and would hope that it can survive and
26. indeed prosper, I don't think this...this action today is one that
27. should be taken because we just don't have the proper security for
28. the...for the taxpayers' dollars. And I urge a No vote.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Associated Press has sought leave to shoot still photographs.
31. Is there leave? Leave is granted. Yes, everyone can give their
32. speeches again, if they wish after we adjourn. Senator Berning.

33. SENATOR BERNING:

1. Thank you, Mr. President, and members of the Senate. In
2. my particular district, there has been a growing resentment over
3. the concept of State bail-out. I have heard from many of my con-
4. stituents challenging that concept and suggesting that it would be an
5. unwise precedent for the State of Illinois to take actions that
6. are contemplated here today. The...the substantive bill, of course,
7. is meaningless without the appropriation, so we still do have the
8. opportunity before us to prevent the State of Illinois from getting
9. into a situation which I and my constituents believe is unwise.
10. I point out to you that according to recent news articles Chrysler
11. Corporation sales are still way down. Their improvement with their
12. new model K or whatever they call it, has not occurred. They are
13. not making the recovery that we had been assured they were at
14. the point of embarking on, and all they needed last spring was
15. this supplemental help through our actions. I believe that is not
16. valid and that if we once start with this kind of action we will
17. shortly be confronted by others, and I submit to you that in spite
18. of the dimensions of Chrysler and that plant at Belvidere, there
19. are just as many valid small businesses who should more logically
20. be supported by State bail-out than this large corporation and would
21. certainly be justified in coming to the General Assembly for the
22. same kind of help. One last thing, Mr. President, and members,
23. I point out to you that this plant is a specialized installation.
24. If, in the judgment of the General Assembly, we do proceed with this
25. in my opinion, unwise action, and then we did ultimately find our-
26. selves in possession of this plant, I submit that it would not be
27. an easy white elephant to dispose of. I respectfully suggest that
28. the most important action that we could do would be to deny this
29. appropriation and vote No.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Further discussion? Senator Knuppel may close. Senator
32. Chew. Senator Chew.

33. SENATOR CHEW:

1. Well, I'm going to make it short. Senator Knuppel will you
2. yield to a question or two? Senator?

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Knuppel.

5. SENATOR CHEW:

6. What is the projection on the Belvidere Plant now that it is
7. closed, do you...do you have any information on it?

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. I...I have no information, this will be something for the
12. Governor and the Director of the Budget or Director Castle to
13. determine what the future is. They have absolute discretion right
14. down to the last day they can...they can say we're not going to
15. loan the money, they've got absolute discretion. I am not an
16. expert in what the financial situation with respect to Chrysler
17. is, we can't do all those things in the General Assembly, we
18. have to leave these to somebody else just like we leave an abstract
19. to a lawyer to examine on the purchase of a house.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Chew.

22. SENATOR CHEW:

23. Yes, I mean they're closed because they cut out production on
24. a particular model car as I read in the paper, and I didn't know
25. whether you had any information as to when the plant reopening would
26. be or whether they were going to, in fact, reopen the Belvidere Plant,
27. that was my question. You have no information. Now, I've supported
28. this bill all the way as you so well know, but I'll tell you an
29. experience I had Senator, with all due respect to you, because
30. your legislation has been good. After we passed this bill out in
31. June, a young lady in Chicago wanted to buy a compact car, and I
32. sent her to a local Chrysler dealer, and they attempted to push
33. a '79 model car on her and calling it an '80 everywhere but on the

1. contract. So, I called these people and told them how crucial
2. it was and how disappointed the young lady was in doing it, and
3. he said he'd get back to me which he never did. I, very frankly,
4. feel that we are now prolonging a funeral, that because of Chrysler
5. and a few other automobile makers didn't take heed to what America
6. was eventually going to, that within a year Chrysler will not
7. be producing cars because as we so well know the K car which they
8. staked all the monies on is not selling as the predictions were.
9. And I am not going to support this, Senator Knuppel, not because
10. of you, because your legislation has been good, but because of
11. principle, because I don't think that Chrysler is going to be
12. able to make it, and I'm not going to be one to keep sticking my
13. nose out ~~there insomuch as they didn't take~~ the money in July, and
14. insomuch as they have now closed the Belvidere Plant. And I don't
15. have any information on when the reopening is going to be or what
16. they plan to build there, and we might be stuck with the plant and
17. they'll have twenty million dollars. And we can't do anything with
18. the plant, and we're still not building any cars. So, on this John,
19. I can't support you.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Further discussion? Senator Weaver.

22. SENATOR WEAVER:

23. Parliamentary inquiry, Mr. President.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. State your point.

26. SENATOR WEAVER:

27. This bill has an immediate effective date, so I would presume
28. it would take thirty-six votes to pass, am I correct?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. It will take...it'll take thirty-six votes to be effective
31. immediately, it would only take thirty votes for passage but,
32. it would not be effective until next July the 1st.

33. SENATOR WEAVER:

Thank you.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Gitz.

3. SENATOR GITZ:

4. Well, Mr. President, and members of the Senate. I was
5. not originally going to speak to this...

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Excuse me, Senator Gitz. Can we break up the...may we
8. have some order please. Senator Gitz.

9. SENATOR GITZ:

10. Well, I...I specifically wanted to address my comments to
11. the caucus over there, because Senator Chew had mentioned his
12. concern, and I think it's a justifiable concern, on the fate of
13. the Belvidere Plant. And my purpose in speaking is to point out
14. to the Body, and it's to the Body's discretion whether you pass
15. this amendment and the money today or you don't. I think there
16. is also sound reason to wait. But you should certainly not
17. reject or approve this amendment on the basis of the Belvidere Plant.
18. Senator Chew, one of the conditions put into that contract is not
19. only the lien on the plant facility itself, but also maintaining
20. for the life of that contract a sixty percent level of permanent
21. employment at that facility, permanent employment, not the cycle
22. in lay-offs. So, consequently if that facility were in your words
23. not to reopen at all, for whatever the reasons, then clearly the
24. way this Statute has been drafted we would preclude any loan at all.
25. And that is the only point that I wanted to bring out in debate be-
26. cause it focuses directly on it. Now, that is a condition, there are
27. several other conditions that have to be met before that loan could
28. even be approved.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator Johns.

31. SENATOR JOHNS:

32. I wish to thank Senator Gitz, he hit right at the point. I
33. was talking to my friends here just about how many people would be

1. employed, John, at sixty percent, can you give me that figure?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Knuppel.

4. SENATOR JOHNS:

5. What would come back, you have no idea?

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Knuppel.

8. SENATOR KNUPPEL:

9. It seemed to me like there was something in the five or six
10. thousand, maybe Senator Lynn Martin has better figures on that
11. than I do. That was what it was last summer, and that's what
12. we would gauge it from, is what it was on June the 30th. And
13. it was my understanding it was doing five and six thousand there
14. at that plant.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Johns.

17. SENATOR JOHNS:

18. I just think each of us should think about the ramifications
19. of losing a potential five or six thousand people. Everyday this
20. State takes part in trying to encourage industry to come in.
21. Everyday we're considering Industrial Revenue Bonds for the
22. development of industry. Everyday we have Public Aid rolls in-
23. creasing, unemployment skyrocketing. What's the cost if we
24. fail to do it? That's something we'd better think about, the
25. ramifications if we don't do this, if it's like Senator Knuppel
26. said, the contract is in the hands of the Governor, he will negotiate
27. the signatures, he will expect the security. I think we ought to
28. vote Aye.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Further discussion? Senator...Senator Martin.

31. SENATOR MARTIN:

32. For the second time, just in response. Evidently, I'm
33. back to telling the truth since I'm going to be a source. Six

1. thousand, so sixty percent would be between probably thirty-six
2. hundred and four thousand. And Senator Chew, the plant closed
3. a week for retooling, a week for vacation, and because of slow
4. sales in the Omni Horizon, which is what is made in Belvidere,
5. they've added on an extra week. Now, granted that is from the
6. paper and the Chrysler release, but they claim they're going to
7. reopen. Okay, and I suspect that's true.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? Further discussion? Senator Knuppel
10. may close.

11. SENATOR KNUPPEL:

12. Mr. President, and members of the Body. Two or three answers
13. here quickly to Senator Berning, I agree with him. This is a very
14. large and complex question, and if you don't believe that this
15. country should make loans, I say to you then you should vote No
16. on this...on this appropriation as you did on the bill. But I
17. want to say to you, you're talking about small businesses. The
18. State doesn't have it, but the Federal Government does, and we've
19. passed legislation here for bonds to loan on homes in certain areas.
20. You've got the Small Businessman's Act at the National level. We've
21. made...we've made outright grants to Amtrack. And I'll tell
22. you, I've been riding it for a few years and it's getting better.
23. It is starting to come out, as the cost of gasoline and travel
24. on the highways goes up. We had two percent loans on Rural Electric
25. Co-op to get the...the countryside electrified from the Federal
26. Government. This is not a new proposition, it's been tried, and
27. it's been proven. These people have paid millions and billions of
28. dollars in taxes. One of the reasons they're down right now and
29. even the foreign countries, Germany, and all the other manufacturers,
30. are having problems with Japanese products and imports. One of the
31. reasons is, Congress until yesterday had never taken any action to
32. control the number of imports. And I just say to you that it's a
33. basic thing that we have done, it over a long period of time. If you

1. don't believe that we should bail businesses out, particularly
2. when it's crucial, then, of course, naturally I would say to
3. everybody on this side of the aisle, we've been doing it ever
4. since the Roosevelt days. We've been...helping people that run
5. into trouble, that those people who are employed pay Income Taxes,
6. and the State of Illinois will get a large part of it back in that.
7. They live in this State, and they pay Real Estate Taxes for our
8. schools, we're all admitting the fact that industry is leaving the
9. State of Illinois. Most of us haven't even looked at the fact that
10. thirty billion dollars a year goes to Washington out of the State
11. of Illinois, it doesn't come back in revenues. What are we doing
12. about that, and I would say this one thing in apology to Miss...
13. Miss...Mrs. Martin, I...I've been here ten years, and nobody, really,
14. and I don't think you intended to, has questioned my word on a
15. particular subject, and in fact as Senator Buzbee said, he got his
16. commitment from some agent, and Senator Chew complained about some
17. dealer. I have no control over those. My only commitment to you
18. last fall was that I would not call the appropriation at that time. That
19. I would amend a different bill and hold it on 3rd reading. I've
20. held that bill to the last possible instant so that the House would
21. have to concur in the amendment which I put on it. I...I have no
22. control over the appraisals and the other things that go on behind
23. this. I made no commitment that...that I would be responsible for
24. this loan, that's the Governor and the director's responsibility to
25. see that these appraisals and so forth are made. I have no way of
26. knowing when they are. I've held this appropriation lien until
27. the last possible moment. That was my commitment, I amended it,
28. and I promised you that, I've done that. If we're going to pass it
29. in this Session, today is the day or tomorrow, so that the House
30. can concur. If we don't pass it, if we don't override...or if we
31. don't pass this legislation with thirty-six votes it won't be
32. immediately effective, if we don't pass it by thirty it won't
33. be effective even next July the 1st. I assume that somebody in the

1. next Session of the General Assembly can re-introduce an appropriation
2. and with...and with a majority vote in each House it would then
3. become effective as of whatever date they put on it, if thirty-
4. six votes the same thing could happen. I just say to you, this
5. was the last possible moment to present this amendment. I kept
6. that commitment. I amended a bill, I waited to see the most
7. developments I could, I put every safeguard in the bill itself that
8. I could, and if you disagree with...with the policy of loaning money
9. to industries that may be closing or leaving Illinois, I disagree
10. with you. But as far as my commitment, I have never broken my
11. commitment in ten years to anybody in this Body, and I...I do,
12. and I apologize for having gotten a little hot, but I am very
13. proud of that fact, that my word has been my bond. And I hear
14. that...they're indoctrinating all the new Legislators here, and the
15. one thing they tell them is be...make your word your bond. Every
16. speaker says this, and...and I felt that when you said that I
17. had made a commitment, I never made a commitment, that all of
18. these things would be met before I would attempt to move this bill.
19. I said I would hold this bill till the last...possible moment, and
20. I've done this. I would ask for a favorable roll call.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. The question is, shall House Bill 2831 pass. Those in favor
23. vote Aye. Those opposed vote Nay. The voting is open. Have all
24. voted who wish? Have all voted who wish? Have all voted who wish?
25. Take the record. On that question, the Ayes are...the sponsor asks
26. that further consideration of House Bill 2831 be...postponed, it
27. will be placed on the Order of Postponed Consideration. Is there
28. leave to go to the Order of Consideration Postponed? Leave is granted.
29. House Bill 3103, Senator Grothberg. Senator Grothberg is recognized.

30. SENATOR GROTHBERG:

31. Thank you, Mr. President, and fellow members. It's with
32. a great deal of pleasure I would move to return Senate Bill...House
33. Bill 3103 to the Order of 2nd reading for purposes of an amendment.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Is there leave to return the bill to the Order of 2nd reading
3. for the purpose of an amendment? Leave is granted. Are there
4. amendments, Mr...the bill is on the Order of 2nd reading. Are
5. there amendments, Mr. Secretary?

6. SECRETARY:

7. Amendment No. 3 offered by Senator Grotberg.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Grotberg to explain Amendment No. 3.

10. SENATOR GROTBORG:

11. Thank you, Mr. President, and checking with the Secretary
12. I would first move to Table Amendments No. 1 and 2, I believe
13. would be the...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The motion is to reconsider the vote by which Amendments No.
16. 1 and 2 were adopted. Those in favor say Aye. Opposed Nay.
17. The Ayes have it. Senator Grotberg, now moves to Table Amendments
18. No. 1 and 2. On the motion to Table, all in favor say Aye. Opposed
19. Nay. The Ayes have it. Amendments No. 1 and 2 are Tabled. Amend-
20. ment No. 3 is under consideration. Senator Grotberg is recognized.

21. SENATOR GROTBORG:

22. Thank you, Mr. President. We're back to the St. Charles
23. transfer...land transfer with the Department of Corrections and
24. the Yorkville amendment. First we have to bring the St. Charles
25. amendment into conformity with the suggestions of the Chairman of
26. the Executive Committee. We have done so, we have articulated it
27. only for public purposes, and we have articulated that it shall be
28. one hundred thousand dollars plus such additional and negotiated
29. considerations necessary to equal the fair market value of the land.
30. And the fair market is established by three appraisals, the standard
31. appraisal language in all land transfers. There's a hold harmless
32. clause in it, Section 3, to save the State of Illinois harmless
33. from any and all claims whatever from the...rising out of the

1. consequences of such said transfer, and I think it's a lot better
2. than it was. Senator Mitchler will offer the...the fourth amendment
3. to bring the bill into conformity for the Yorkville amendment. I
4. therefore would move the adoption, Mr. President, and fellow
5. members, of Amendment No. 3.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion is to adopt Amendment No. 3. Is there discussion?
8. Senator Wooten.

9. SENATOR WOOTEN:

10. Thank you, Mr. President. Senator Grotberg's amendment
11. is exactly as he represents it, he has met all the suggestions
12. that we made, and while I still have some questions about the bill
13. I'll save that for 3rd...3rd reading. I certainly would suggest
14. that we adopt this amendment, it is a much more correct approach
15. to the situation.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. The motion is to adopt. All in favor say Aye. Opposed Nay.
18. The Ayes have it. Amendment No. 3 is adopted. Are there further
19. amendments, Mr. Secretary?

20. SECRETARY:

21. Amendment No. 4 offered by Senator Mitchler.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Mitchler is recognized.

24. SENATOR MITCHLER:

25. Mr. President, and members of the Senate. This is a technical
26. amendment that corrects some minor changes, purely technical and
27. I would ask for adoption of this amendment.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to adopt Amendment No. 4. Is there discussion?
30. The motion is to adopt Amendment No. 4. Senator Mitchler, you might
31. want to have someone check over the correctness of your amendment.
32. Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment
33. No. 4 is adopted. Are there further amendments?

1. SECRETARY:

2. No further amendments.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. 3rd reading. Other bills on the Order of...Consideration
5. Postponed, Senate Bill 2038. Senator Newhouse is recognized.

6. SENATOR NEWHOUSE:

7. Thank you, Mr. President, Senators. This is a State
8. Scholarship Commission Bill which is on Postponed Consideration.
9. It was...thoroughly discussed at our last hearing, it failed by
10. about four votes. We have the...those on the Floor here who want
11. to vote on this bill. There's a good deal of anxiety about it.
12. What we've done, of course, is reduced the amount of the dollars
13. from nine billion dollars to the five million which was the amount
14. recommended by BHE. We...that won't do what we'd like to do but
15. it's a compromise and we want to go with that compromise. In the
16. meantime you should know that there is an amendment being placed
17. on over in the House, I think this is an indication of the high
18. interest in this bill. There are an awful lot of small colleges
19. involved...that are in our districts, and an awful lot of students
20. involved, and I would appreciate a favorable roll call on this bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Is there discussion? Prior to taking up discussion, the
23. Chair made an error in House Bill 3103, I returned it to 3rd
24. reading, it should have gone back to the Order of Consideration
25. Postponed. So that bill is on the Order of Consideration Postponed.
26. Discussion of the bill, 2038 Senate Bill? Senator DeAngelis is
27. recognized.

28. SENATOR DeANGELIS:

29. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
30. A week ago last Friday this bill failed passage by five votes.
31. Many people have expressed an interest who were not present at that
32. time, or people that did not vote, to vote for this. I would urge
33. those who supported it at that time to go ahead and vote for it, and

1. those of you who were not here or chose not to vote, please to also
2. vote for it. Thank you.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Martin.

5. SENATOR MARTIN:

6. Just briefly, the bill hasn't changed since it didn't get
7. enough votes last time. For Heaven's sake don't give it enough
8. votes this time, it's still a lousy commission, it's still a
9. ridiculous way to do business, and we can't year after year con-
10. tinually refund the errors that they continue to make. A No vote
11. was a good vote a few days ago, it remains the best vote.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Further discussion? Further discussion? All right. The
14. question is on the...Senator Newhouse, did you wish to close?

15. SENATOR NEWHOUSE:

16. Roll call.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. The question is on the passage of House Bill 2038. Those in
19. favor vote Aye. Those opposed vote Nay. The voting is open. Have
20. all voted who wish? Have all voted who wish? Take the record.
21. On that question, the Ayes are 41, the Nays are 12, none Voting
22. Present. House Bill 2038, having received the required constitutional
23. majority is declared passed. Senate Bill...that was House Bill
24. 2038 that received 41 affirmative votes, 12 negative votes, and
25. is declared passed. Senator Sangmeister. We'll be with you in
26. just a moment. Senator Grotberg, do you wish to return to House
27. Bill 3103? Senator Grotberg is recognized, the bill has been read
28. a third time.

29. SENATOR GROTEBERG:

30. Thank you, Mr. President. The bill is now in good shape, it
31. satisfies. If there are questions I'll be glad to answer them, but
32. I will not bore anyone with the fact of the value received for the
33. State of Illinois by cash and negotiated considerations for the

1. St. Charles portion and the fine deal that the game farm in Yorkville
2. has made with the City of Yorkville to replace land that is being taken
3. by the expansion of the Route 47 Bridge. Otherwise I would ask
4. everyone that stayed with me before to...let's do it again and
5. get it over to the House for concurrence.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? Senator Wooten.

8. SENATOR WOOTEN:

9. Thank you, Mr. President. Senator Grotberg is an excellent
10. Senator who goes at things with bulldog tenacity and has done
11. an excellent job in preparing this...this piece of legislation
12. which I still think is...which I still question. The latest thing
13. that came to our attention is the leases ~~that exist on this land~~
14. and I suppose the thing that unnerves me about this is that...we
15. defeated this earlier and we...we're coming back to it again,
16. and while Senator Grotberg has put it in excellent shape, I merely
17. call you attention to the fact that there's a lease on the
18. eighty-six acres that would generate better than sixteen thousand
19. dollars a year, keep it in agricultural use which it has been in
20. for all of its existence, apparently. It's one of two leases on the
21. land, this is just something that came to light this morning from
22. our staff. It's part of a larger lease for a hundred and twenty
23. thousand dollars a year. I simply suggest to you that this is
24. valuable land, I don't think the State is wise in disposing of
25. it this way. It was only declared surplus on the first of this
26. month and the letter that declares it surplus says that it will
27. be declared surplus if this bill passes. If it doesn't then the
28. leases that were bid on and accepted last month will stay in effect.
29. I would feel much more comfortable about this if we took the whole
30. thing back through committee. The Body, as usual, may exercise
31. its will, but I think even laudable persistence is not as good
32. as the committee system. And so, I still cannot vote for the bill.
33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Is there further discussion? The question is, shall House
2. Bill 310...Senator Grotberg may close.

3. SENATOR GROTEBERG:

4. Yes, only to respond to Senator Wooten. I have the lease
5. before me, and Section D...Section 4, Paragraph D on the farmers
6. lease says the Senate shall have the right to withdraw any
7. portion of the leased premisses from this lease if the State
8. appropriates leases, designates, or sells any of the land for
9. other purposes. It's all within the existing lease and that
10. obligation will go into the considerations and negotiations. I would
11. appreciate a favorable roll call.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Well, Senator, he was closing. Senator Wooten.

14. SENATOR WOOTEN:

15. I...I simply want to clarify. Senator Grotberg, I am aware
16. of that language in the lease and that is proper language and it
17. protects us. The point I was making is simply that the Department of
18. Corrections let this out for bids, opened the bids, apparently
19. had no intention of declaring this surplus land, at least, one
20. hand did not know what the other was doing and it did not go through
21. general...through Administrative Services, they were the ones
22. who prepared this lease. I simply suggest that this whole process
23. looks as if it could stand a somewhat more regular approach. And
24. we are covered, you're right. The poor farmer who bid on this, and
25. thinks he's got the land will now be out of it in three months.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The question is shall House Bill 3103 pass. Those in favor
28. vote Aye. Those opposed vote Nay. The voting is open. Have all
29. voted who wish? Have all voted who wish? Take the record. On that
30. question, the Ayes are 48, the Nays are 2, 5 Voting Present. House
31. Bill 3103, having received the required constitutional majority is
32. declared passed. For what purpose does Senator Geo-Karis arise?

33. SENATOR GEO-KARIS:

1. Mr. President, and Ladies and Gentlemen of the Senate. I
2. was tied up in a long distance call and I didn't know Senate
3. Bill 2038...it was being called. And...is it House Bill or Senate
4. Bill?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senate Bill.

7. SENATOR GEO-KARIS:

8. Senate Bill 2038. And unfortunately no one alerted me, and
9. I'd like the record to show that if I were present I would have
10. voted Yes very strongly for that bill.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. The transcript will indicate your desire to have voted Yes.

13. PRESIDENT:

14. If I can have your attention, we intend to deal with the
15. Administration Appropriation Bills which were heard today in the
16. Appropriations Committee. We will go to that...with leave of the
17. Body go to that order of business, and then that will wind up
18. our business until noon tomorrow. Senator Carroll.

19. SENATOR CARROLL:

20. Thank you, Mr. President, and Ladies and Gentlemen of the House.
21. I would like to waive the...of the Senate. Thank you, Senator Netsch.
22. Waive the appropriate rules to allow for 2nd readings of the
23. following bills that were heard in Appropriations I, and with
24. leave of Senator Buzbee, Appropriations II today, those bills
25. that had committee amendments we will adopt now. There will be
26. some corrective amendments offered to some of those tomorrow, other
27. bills we will ask leave of the sponsors to bring back for amendments
28. tomorrow. They would be House Bills 3621, 3622, 3625, 3627, 3629,
29. 3631, 3634, and 3626...

30. PRESIDENT:

31. You've heard the motion. Is leave granted? Leave is granted.
32. So ordered. Mr. Secretary, on the Order of House Bills 2nd reading.

33. SECRETARY:

1. House Bill 3621.
2. (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDENT:
5. Any amendments from the Floor?
6. SECRETARY:
7. No Floor amendments.
8. PRESIDENT:
9. 3rd reading. On the Order of House Bills 2nd reading, House
10. Bill 3622. Read the bill, Mr. Secretary.
11. SECRETARY:
12. House Bill 3622.
- ~~13. (Secretary reads title of bill)~~
14. 2nd reading of the bill. No committee amendments.
15. PRESIDENT:
16. Any amendments from the Floor?
17. SECRETARY:
18. No Floor amendments.
19. PRESIDENT:
20. 3rd reading. On the Order of House Bills 2nd reading, is House
21. Bill 3625. Read the bill, Mr. Secretary.
22. SECRETARY:
23. House Bill 3625.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. The Committee on Appropriations II offers
26. one amendment.
27. PRESIDENT:
28. Senator Buzbee.
29. SENATOR BUZBEE:
30. Thank you, Mr. President. This amendment changes the appro-
31. priation from the Department of Public Health to the Department
32. of Law Enforcement. I would move its adoption.
33. PRESIDENT:

1. Senator Buzbee has moved the adoption of Committee Amendment
2. No. 1 to House Bill 3625. Is there any discussion? If not, all
3. in favor signify by saying Aye. All opposed. The Ayes have it.
4. The amendment is adopted. Further amendments?
5. SECRETARY:
6. No further committee amendments.
7. PRESIDENT:
8. Any amendments from the Floor?
9. SECRETARY:
10. No Floor amendments.
11. PRESIDENT:
12. 3rd reading. On the Order of House Bills 2nd reading, House
13. Bill 3627. Read the bill, Mr. Secretary.
14. SECRETARY:
15. House Bill 3627.
16. (Secretary reads title of bill)
17. 2nd reading of the bill. No committee amendments.
18. PRESIDENT:
19. Any amendments from the Floor?
20. SECRETARY:
21. No Floor amendments.
22. PRESIDENT:
23. 3rd reading. I beg your pardon, I did skip 3626. On the
24. Order of House Bills 2nd reading, House Bill 3626. Mr. Secretary.
25. SECRETARY:
26. House Bill 3626.
27. (Secretary reads title of bill)
28. 2nd reading of the bill. The Committee on Appropriations II offers
29. one amendment.
30. PRESIDENT:
31. Senator Buzbee.
32. SENATOR BUZBEE:
33. Thank you, Mr. President. This is a technical amendment, and

1. I would move its adoption.
2. PRESIDENT:
3. Senator Buzbee has moved the adoption of Committee Amendment
4. No. 1 to House Bill 3626. Any discussion? If not, all in favor
5. signify by saying Aye. All opposed. The Ayes have it. The amend-
6. ment is adopted. Are there further amendments?
7. SECRETARY:
8. No further committee amendments.
9. PRESIDENT:
10. 3rd reading. On the Order of House Bills 2nd reading, House
11. Bill 3629. Read the bill, Mr. Secretary.
12. SECRETARY:
13. House Bill 3629.
14. (Secretary reads title of bill)
15. 2nd reading of the bill. No committee amendments.
16. PRESIDENT:
17. Any amendments from the Floor?
18. SECRETARY:
19. No Floor amendments.
20. PRESIDENT:
21. 3rd reading. On the Order of House Bills 2nd reading, House Bill
22. 3631. Read the bill, Mr. Secretary.
23. SECRETARY:
24. House Bill 3631.
25. (Secretary reads title of bill)
26. 2nd reading of the bill. The Committee on Appropriations I offers
27. one amendment.
28. PRESIDENT:
29. Senator Carroll.
30. SENATOR CARROLL:
31. Thank you, Mr. President, and Ladies and Gentlemen of the Senate.
32. This amendment deletes the lump sum so that it can be itemized. I
33. move adoption of Amendment No. 1.

1. PRESIDENT:

2. Senator Carroll has moved the adoption of Committee Amendment
3. No. 1 to House Bill 3631. Any discussion? If not, all in favor
4. signify by saying Aye. All opposed. The Ayes have it. The amend-
5. ment is adopted. Are there further amendments?

6. SECRETARY:

7. No further amendments.

8. PRESIDENT:

9. Amendments from the Floor?

10. SECRETARY:

11. No Floor amendments.

12. PRESIDENT:

13. 3rd reading. On the Order of House Bills 2nd reading, House
14. Bill 3634. Read the bill, Mr. Secretary.

15. SECRETARY:

16. House Bill 3634.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. PRESIDENT:

20. Any amendments from the Floor?

21. SECRETARY:

22. No Floor amendments.

23. PRESIDENT:

24. 3rd reading. Resolutions.

25. SECRETARY:

26. The following resolutions are all congratulatory:

27. Senate Resolution 119, offered by Senators Mitchler, Vadalabene,
28. Friedland, and all Senators.

29. Senate Resolution 720, offered by Senator Mitchler.

30. Senate Resolution 721, offered by Senator Rhoads.

31. PRESIDENT:

✓ 32. Consent Calendar. All right, Motions in Writing. Read the
33. motion, Mr. Secretary.

1. SECRETARY:

2. I move to suspend the Senate rules to...and to discharge
3. House Bill 3147 from further consideration by the Senate Local
4. Government Committee, and ask that the bill be placed on the
5. Calendar on the Order of 2nd reading. Signed, Senator Sangmeister.

6. PRESIDENT:

7. Senator Sangmeister.

8. SENATOR SANGMEISTER:

9. Thank you, Mr. President, and members of the Senate. House
10. Bill 2147 is the bill to increase the maximum for the salaries
11. for Township Assessors. For one way or another I received the
12. sponsorship in the Senate of this bill, and since we last week,
13. I believe it was, did similar efforts for our county officers,
14. the Township Assessor will not be able to get this raise if
15. we don't do this prior to their elections in April of next year.
16. It would foreclose them, as I understand, it probably until 1985.
17. So, I don't think this is the time to discuss what these maximums
18. are going to be, we'll be happy to do that on 3rd reading. Right
19. now, all I'd like to do is to move the bill out here on 2nd reading,
20. amend it into the shape that we want it. We can discuss it on
21. 3rd, and you can vote it up or down.

22. PRESIDENT:

23. Any discussion? All right, you've heard the motion. Senator
24. Sangmeister has moved to suspend the rules for the purpose of
25. having House Bill 2147 discharged from the Committee on Local
26. Government and advanced to the Order of 2nd reading. Any discussion?
27. Senator Joyce.

28. SENATOR JEROME JOYCE:

29. Yes, Mr. President. I support this motion as Chairman of
30. Local Government. I think that it would only even things up across
31. the board with the other offices. So, I would support the discharge.
32. motion.

33. PRESIDENT:

1. All right, you've heard the motion. Any further discussion?
2. If not, all in favor signify by saying Aye. All opposed. The
3. Ayes have it. The motion carries. So ordered. It will appear
4. on the Calendar tomorrow on the Order of 2nd reading. Senator
5. Shapiro.

6. SENATOR SHAPIRO:

7. Mr. President, I have an announcement to make. The Governor
8. and Mrs. Thompson want to invite you all to the Mansion on Thursday,
9. December 4th for a Christmas reception from six until eight. It
10. has been moved up one day from Friday to Thursday, but that's
11. tomorrow night, six to eight o'clock.

12. PRESIDENT:

13. Further business to come before the Senate? Senator Maragos.

14. SENATOR MARAGOS:

15. Mr. President, and members of the Senate.

16. PRESIDENT:

17. Senator Merlo.

18. SENATOR MARAGOS:

19. I am addressing this august Body for the last time as a State
20. Senator, in the future I hope to come here as a visitor and a
21. constituent of one of you at least. I want to say that it's...Mr.
22. President, and members of the Senate, it's been a privilege for me
23. to serve with you these past four years, and some the last two years,
24. and I thank you all for your support, your courtesies, and I want
25. you to continue on the wonderful and important work that you are
26. conducting on behalf of the people of the State of Illinois. This
27. particular...this Legislature and...has from time to time been maligned
28. as an institution, but I want to say to you that you should hold
29. your heads very proudly because you are doing yoemen work at...some
30. times under flak and fire which is unjust. Keep up the good work,
31. and I'll be noticing your proceedings as a citizen because as of
32. midnight tonight I am resigning as Senator to allow my Senator-elect
33. from my district, Glen Dawson to take over and possibly have some

1. seniority, and he is going to be succeeded by State Representative
2. Giglio in that position. I thank you again for your courtesies and
3. I bid you fond farewell, and I hope that all of you will be at
4. the reception tonight to split a grog or two. Thank you.

5. PRESIDENT:

6. Senator Sangmeister, for what purpose do you arise?

7. SENATOR SANGMEISTER:

8. Yes, on Senate...on House Bill...I put my file away, hang
9. on. Yes, 2147, we would like to have that read a second time and
10. moved to 3rd reading. I'll bring it back tomorrow and put the
11. amendment on...

12. PRESIDENT:

13. With the understanding that it will be brought back. Is there
14. any objection? All right, on the Order...with leave of the Body
15. we'll move to the Order of House Bills 2nd reading, House Bill 2147.
16. Read the bill, Mr. Secretary.

17. SECRETARY:

18. House Bill 2147.

19. (Secretary reads title of bill)

20. 2nd reading of the bill.

21. PRESIDENT:

22. Amendments from the Floor?

23. SECRETARY:

24. No Floor amendments.

25. PRESIDENT:

26. 3rd reading. Senator Hall, for what purpose do you arise?

27. SENATOR HALL:

28. Well, I would like for the record to show that the great
29. Senator from the 22nd District of Chicago, the Congressman-elect
30. of the 1st District is in Washington and was unable to get back
31. today in time for the...the Session.

32. PRESIDENT:

33. The Journal will so reflect. Further business to come before
the Senate? Senator Berman.

1. SENATOR BERMAN:

2. Thank you, Mr. President. I just want to remind all Senators
3. that we are having the reception in honor of Senator Maragos, five-
4. thirty to seven-thirty tonight, the second floor, Governor's Suite,
5. of the State House Inn. Thank you.

6. PRESIDENT:

7. Senator Berman's buying, I want everybody to be there. Any
8. further business to come before the Senate? All right, if not,
9. Senator Donnewald has moved that the Senate stand adjourned until
10. Thursday, December 4 at the hour of twelve o'clock, noon. The
11. Senate stands adjourned.

12.

13.

14.

15.

16.

17.

18.

19.

20.

21.

22.

23.

24.

25.

26.

27.

28.

29.

30.

31.

32.

33.