

82ND GENERAL ASSEMBLY

REGULAR SESSION

March 3, 1982

PRESIDING OFFICER: (SENATOR DONNEWALD)

The hour of twelve having arrived, the Senate will please come to order. Will the guests in our galleries please rise. Prayer by Reverend Robert D. Florence of Lakeside Christian Church.

REVEREND ROBERT D. FLORENCE:

(Prayer given by Reverend Florence)

PRESIDING OFFICER: (SENATOR DONNEWALD)

Reading of the Journal.

SECRETARY:

Wednesday, January 13th, 1982.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Senator Johns.

SENATOR JOHNS:

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

PRESIDING OFFICER: (SENATOR DONNEWALD)

You've heard the motion. Those in favor...all those in favor indicate by saying Aye. Those opposed. The Ayes have it. Motion carries. Message from the Governor.

SECRETARY:

A Message from the Governor by John Washburn, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following message.

To the Honorable members of the Senate, the 82nd General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Executive Appointments. Just a moment. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, in regard to the message that was just read by the Secretary of the Senate. In compliance with Senate Rule 7C, the Committee on Executive Appointments, Veterans Affairs and Administration will consider the appointments of the Governor contained in his Message of March 3rd, 1982 immediately after the Session today, March 3, 1982 in Room 212.

PRESIDING OFFICER: (SENATOR DONNEWALD)

You've heard the motion. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Motion carries. Resolutions.

SECRETARY:

The following resolutions are either congratulatory or commendatory.

Senate Resolution 400 offered by Senator Bruce.

Senate Resolution 401 by Senator Lenke.

Senate Resolution 402 by Senator Lenke.

Senate Resolution 403 by Senator Walsh.

Senate Resolution 404, Senator Collins.

Senate Resolution 405 by Senator Savickas and all Senators.

Senate Resolution 406 by Senators Nash, Geo-Karis, Rock, Savickas, Carroll and all Senators.

Senate Resolution 407, Senator Berning.

Senate Resolution 408, Senator Berning.

Senate Resolution 409 by Senator Berning.

Senate Resolution 410 by Senator Berning.

Senate Resolution 411, Senator Geo-Karis.

Senate Resolution 412 by Senator Egan.

Senate Resolution 413 by Senator Egan.

Senate Resolution 414 by Senator Egan.

Senate Resolution 415 is a death resolution offered by Senator Berning and all members.

Senate Resolution 416 is a death resolution offered by

Senators Nash, D'Arco, Carroll, Rock, Savickas and all members.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Consent Calendar. Resolutions.

SECRETARY:

Senate Resolution 417 is a death resolution offered by Senator Berman, Keats and all Senators.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Consent Calendar. Senator Geo-Karis, for what purpose do you arise?

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, on a point of personal privilege. I would like very much if I may...

PRESIDING OFFICER: (SENATOR DONNEWALD)

State your point.

SENATOR GEO-KARIS:

...introduce H. James Wiedner, one of my constituents from Zion, Illinois who...who's the sales representative of E. Squibbs...Squibbs and Sons, Inc. And he's right up in the upper balcony. I'd like to welcome...

PRESIDING OFFICER: (SENATOR DONNEWALD)

Please rise and be recognized. Resolution.

SECRETARY:

(Machine cut-off)...Resolution 418 offered by Senator Geo-Karis.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Executive Committee. For what purpose does Senator Egan arise?

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. The last time we met, Mr. President, there was a...an accumulation of resolutions on the Secretary's Desk, and I referred this resolution, which is principally congratulatory, to the

Executive just to avoid the...the confusion of the moment. I have conferred with the leader on the Republican side and it is agreed that to let this out of committee would do no harm or injustice to the system. I would move to discharge the Executive Committee from deliberation on Senate Resolution 394 and ask that it be passed at this time by the Body.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Is there discussion? The question is, shall Senator Egan's motion be adopted. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. Motion carries. Senator Egan.

SENATOR EGAN:

Now I would move for its passage or put on the Consent Calendar so it will be passed today.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Consent Calendar. Senate Bill...

SECRETARY:

Senate Bill 1307 introduced by Senator Collins.

(Secretary reads title of bill)

Senate Bill 1308 by Senator D'Arco.

(Secretary reads title of bill)

Senate Bill 1309 by Senator Thomas.

(Secretary reads title of bill)

Senate Bill 1310 by Senator D'Arco.

(Secretary reads title of bill)

Senate Bill 1311 by Senator Collins.

(Secretary reads title of bill)

Senate Bill 1312 introduced by Senators Hall and Kent.

(Secretary reads title of bill)

Senate Bill 1313 by Senators Demuzio and Johns.

(Secretary reads title of bill)

Senate Bill 1314 by Senator Maitland.

(Secretary reads title of bill)

Senate Bill 1315 by the same sponsor.

(Secretary reads title of bill)

Senate Bill 1316 by Senator Thomas.

(Secretary reads title of bill)

Senate Bill 1317 by...introduced by Senators Degnan and Jeremiah Joyce.

(Secretary reads title of bill)

Senate Bill 1318 by...introduced by Senator Berning.

(Secretary reads title of bill)

Senate Bill 1312 by...offered by...introduced by Senator Netsch.

(Secretary reads title of bill)

Senate Bill 1320 by the same sponsor.

(Secretary reads title of bill)

Senate Bill 1321 by the same sponsor.

(Secretary reads title of bill)

Senate Bill 1322 by the same sponsor.

(Secretary reads title of bill)

Senate Bill 1323 introduced by Senators Nash, Carroll and D'Arco.

(Secretary reads title of bill)

Senate Bill 1324 by Senator Grothberg.

(Secretary reads title of bill)

Senate Bill 1325 by Senator Marovitz and Rock.

(Secretary reads title of bill)

Senate Bill 1326 introduced by Senator Johns.

(Secretary reads title of bill)

Senate Bill 1328 introduced by Senator Johns.

(Secretary reads title of bill)

Senate Bill 1329 by the same sponsor.

(Secretary reads title of bill)

Senate Bill 1330 by Senator Rock.

(Secretary reads title of bill)

Senate Bill 1331 by Senators Donnewald and Rock.

(Secretary reads title of bill)

Senate bill 1332 by Senator Carroll.

(Secretary reads title of bill)

Senate Bill 1333 by Senator Egan.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR DONNEWALD)

Rules. Message from the House.

SECRETARY:

A Message from the House by Mr. Leone, Clerk.

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

House Joint Resolution 67.

(Secretary reads HJR No. 67)

PRESIDING OFFICER: (SENATOR DONNEWALD)

The members on the left are sounding like the members on the right of me. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. If I could have your attention. We are running a few minutes behind, but I would move the suspension of the rules and the immediate consideration and adoption of House Joint Resolution 67. It calls for the Senate to repair to the House at the hour of twelve-thirty for the purpose of hearing the Governor's Budget Address. In that respect, I would like to alert the following members that they are...have been designated as the Escort Committee for the Governor: Senators Schaffer, Becker, Vadalabene, Hall and Johns. And they will meet the Governor at the House Chamber door. As you are probably aware, Senator Vadalabene has scheduled an Executive Appointments meeting immediately following the Governor's Budget Address. So, after we adopt House Joint Resolution 67, I would ask the membership to

please immediately repair to the House and we will reconvene in the Senate. We will reconvene. We do have some business to transact. We will reconvene at the hour of two-thirty. So, Mr. President, I would move the suspension of the rules and the immediate consideration and adoption of House Joint Resolution 67, and then further move that we stand in recess until the hour of 2:30 p.m. today.

PRESIDING OFFICER: (SENATOR DONNEWALD)

You've heard the motion. Those in favor of the suspension of the rules indicate by saying Aye. Those opposed. The Ayes have it. The rules are suspended for the consideration of the main motion. Those in favor of the motion indicate by saying Aye. Those opposed Nay. The Ayes have it. Motion carries. The Senate stands in recess until the hour of two-thirty.

SENATOR VADALABENE:

Yes, to the members of the...may I have your attention, please. To the members of the Committee on Executive Appointments, if I understand the President Rock's message to you just a few minutes ago, he has indicated that right after the Governor's Message we will have our meeting on Executive Appointments and Administration and then get back here at two-thirty. So, right after the Governor's Message, you should get into Room 212. We'll have our meeting and get it over with.

RECESS

AFTER RECESS

PRESIDENT:

The hour of two-thirty having arrived, the Senate will come to order. With leave of the Body we'll go to the Order of Resolutions. Resolutions, Mr. Secretary.

SECRETARY:

Senate Resolution 419 offered by Senator Lemke and it's congratulatory.

PRESIDENT:

Consent Calendar.

SECRETARY:

Senate Resolution 420 offered by Senator Johns.
And Senate Resolution 421 offered by Senator Johns.
Senate Resolution 422 offered by Senator Keats.

PRESIDENT:

Executive Committee. Resolutions.

SECRETARY:

Senate Joint Resolution 69 offered by Senator Gitz.

PRESIDENT:

Executive. Introduction of bills.

SECRETARY:

Senate Bill 1334 offered by Senator Egan.

(Secretary reads title of bill)

Senate Bill 1335 offered by Senator Davidson.

(Secretary reads title of bill)

Senate Bill 1336, Senator Keats and Marovitz.

(Secretary reads title of bill)

Senate Bill 1337 by Senator Maitland.

(Secretary reads title of bill)

Senate Bill 1338 by Senator Egan.

(Secretary reads title of bill)

Senate Bill 1339...by the same sponsor.

(Secretary reads title of bill)

Senate Bill 1340 by the same sponsor.

(Secretary reads title of bill)

Senate Bill 1341 by the same sponsor.

(Secretary reads title of bill)

Senate Bill 1342 by the same sponsor.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR BRUCE)

Rules Committee. Is there leave to go to the Order of

Resolution Consent Calendar? Leave is granted. Resolution Consent Calendar. Have any Senators posted objections, Mr. Secretary, to any resolution upon the Calendar?

SECRETARY:

No objections.

PRESIDING OFFICER: (SENATOR BRUCE)

Having no objections, Senator Degnan moves that the Senate do adopt the Resolution Consent Calendar. On the motion to adopt, all in favor say Aye. Opposed Nay. The Ayes have it. Resolutions on that Calendar are deemed adopted. For what purpose does Senator Lemke arise?

SENATOR LENKE:

I...I would just...a point of personal privilege. Some time ago we passed the bill in the Senate recognizing Cashimur Pulaski Day as the first Monday of March. His birthday is...he was born on March 4th. I think as we should take official knowledge of this...this important day to the Polish Community. I would ask everybody to realize that this is a patriot that saved Washington from defeat by the British. If it wasn't for him, there'd be no United States.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Vadalabene. Senator Vadalabene moves that the Senate...yes. Is there leave to go to the Order of Committee Reports? Committee Reports, Mr. Secretary.

SECRETARY:

Senator Vadalabene, Chairman of the Committee on Executive Appointments, Veterans Affairs and Administration to which was referred the Governor's Message of January 13th, 1982 and February 26th, 1982, reports the same back with the recommendation that the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I move that the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in the Governor's Messages of January 13th and February 26th, 1982.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The Senate is in Executive Session. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. With respect to the Governor's Messages of January 13th and February 26th, 1982, I will read the unsalaried appointments to which the Committee on Executive Appointments, Veteran Affairs and Administration Committee recommends that the Senate do advise and consent. And after reading those appointments, I intend to ask leave to consider all of the unsalaried appointments on one roll call, unless any Senator has objection to any particular appointment.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there objection to the procedure as outlined by Senator Vadalabene? Hearing none, that will be the procedure.

SENATOR VADALABENE:

Thank you, Mr. President.

To be a member of the Children and Family Services Advisory Council for a term expiring January 21, 1985, Shirley Belke of Peoria.

To be a members of the Kaskaskia Regional Port District Board for a term expiring June 30, 1984, R. Kent Fischer of Columbia and Richard L. Guebert of Modoc.

And to be a member of the Joliet Regional Port District Board for a term expiring June 1, 1987, E. Edward Harbeck of Shorewood.

And to be members of the Commission for Economic Develop-

ment for a term expiring June 30th, 1983, William H. Rice of Champaign and David L. Diana of Urbana.

To be members of the Illinois Scholarship Commission for a term expiring June 30, 1987, David Eisenman of Champaign, George Stevens of Lake Forest and Lois Mazzuca of Woodale.

And to be members of the Industrial Development Authority for a term expiring January 17, 1983, Thomas Harrington of Champaign, Richard Shanahan of Chicago, Craig Duchossois of Flossmore and Frank Considine of Chicago.

To be Public Administrator, Guardian & Conservator of Adams County for a term expiring December 2nd, 1984, William O. Mays, Jr. of Quincy.

And to be members of the Illinois Coal Research Board for a term expiring July 1, 1983, Porter J. Womeldorff of Decatur, Linda Dutcher of Carbondale and John J. Banovic of Litchfield.

And to be a member of the Illinois Coal Research Board for a term expiring July 1, 1985, Wilbur W. Dodge of Peoria.

And to be a member of the Metropolitan Fair & Exposition Board for a term expiring May 31st, 1986, Herbert A. Stade of Oakbrook.

And to be members of the Illinois Community College Board for a term expiring June 30, 1987, Robert Sechler of Rockford and Rosemary Ziska of Wheaton.

Mr. President and members of the Senate, having read the unsalaried appointments, I now seek leave to consider these appointments on one roll call, unless some Senator has objection to a specific appointment.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave? Leave is granted. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, does the Senate advise and consent to the nominations just made. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 48, the Nays are none, none Voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. With respect to the Governor's Messages of January 13th and February 26th, 1982, I will read the names of the salaried appointments to which the Committee on Executive Appointments, Veterans Affairs and Administration recommends that the Senate do advise and consent. And after reading the appointments, I intend to ask leave to consider all of the salaried appointments on one roll call, unless any Senator has objection to any particular appointment.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the procedure as outlined by Senator Vadalabene. Is there objection? Hearing none, that will be the procedure. Senator Vadalabene.

SENATOR VADALABENE:

To be Director of the Department of Labor for a term expiring January 17, 1983, E. Allen Bernardi of Springfield.

To be a member of the Prisoner Review Board for a term expiring January 17, 1983, Corrine C. Franklin of Jerseyville.

To be a member of the Prisoner Review Board for a term expiring January 19, 1987, William A. Redmond of Bensenville.

And to be Director of the Department of Energy & Natural Resources for a term expiring January 17, 1983, Michael B. Witte of Tallula.

And to be Director of the Department of Financial Insti-

tutions for a term expiring January 17, 1983, Michael E. Fryzel of South Holland.

And to be the Director of Department of Commerce and Community Affairs for a term expiring January 17, 1983, Peter B. Fox of Springfield.

And Mr. President and members of the Senate, having read the salaried appointments, I now seek leave to consider these appointments on one roll call, unless some Senator has objection to a specific appointment.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the question by Senator Vadalabene. Is there objection? Hearing none, that would be the procedure. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Mr. President, will you put the question as required by our rules.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 47, the Nays are none, none Voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President. I now move that the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The Senate does arise from Executive Session. Thank you, Senator Vadalabene. For what purpose does Senator Rock arise?

SENATOR ROCK:

*SB 734
Motion in Writing*

Thank you, Mr. President and Ladies and Gentlemen of the Senate. On a point of personal privilege. Seated in the gallery, and before he leaves, I would like everyone to formally acknowledge the former Speaker of the House, now enjoying retirement, whom we have just confirmed as a member of the Prisoner Review Board. I commend the Governor publically for this appointment.

PRESIDING OFFICER: (SENATOR BRUCE)

Speaker Redmond, you are always welcome here. (Machine cut-off)...Dawson on the Floor? Senator Dawson, we have a motion, are you prepared to go to that? Is there leave to go to the Order of Motions in Writing? Motions in writing. Senator Dawson is recognized...Mr. Secretary, read the motion first.

SECRETARY:

Motion in writing. I move that Senate Bill 734 be discharged from the Senate Committee on Local Government and be placed on the Calendar on the Order of 3rd reading. Signed, Senator Dawson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson is recognized.

SENATOR DAWSON:

Mr. President, I ask leave for this bill to be taken from committee because of the urgency of it for the Chicago Regional Port District.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to discharge...the motion is to discharge the bill from the Committee on Local Government. It was on the Order of 3rd reading, was committed to committee, and that would be to discharge it and have it placed on the Order of 2nd reading, Senator Dawson? Back on the Order of 3rd reading.

SENATOR DAWSON:

We have an amendment that we have to put on it, so...

PRESIDING OFFICER: (SENATOR BRUCE)

Alright, we'll put it back on the Order of 3rd reading. The motion is to...to discharge it from further consideration by the committee and have it placed on the Order of 3rd reading. Senate Bill 734. On the motion, discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The bill is on the Order of 3rd reading. Senator Dawson is recognized. Senator Dawson moves that the...asks leave of the Senate to return Senate Bill 734 to the Order of 2nd reading for the purpose of an amendment. Is there leave? Leave is granted. Are there amendments, Mr. Secretary?

SECRETARY:

Amendment No. 2 offered by Senator Dawson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson is recognized.

SENATOR DAWSON:

Mr. President, what the amendment does, at the present time, the way the law is written, it forces the Regional Port District to have two different stevedoring operators operate on that dock. At present time, the last...the one operator last year only had three ships there all year. And at this present upcoming year he does not intend to use it at all, and it is sitting there collecting no rent. And we have other operators who would like to rent that piece of property and try to do something with it. So we'd like to exclude the requirements to have two operators at a specific number of feet on the dock. And we'd like to turn that authority over to the Chicago Regional Port District Board for them to designate how many operators that they could have at that facility. I ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt the amendment. Is there discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I don't think we had any agreement to vote on this amendment today. We have a single copy of the amendment. It would seem to me good practice to have it reproduced and passed out to the membership, the entire membership, until we vote on it.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Dawson.

SENATOR DAWSON:

Mr. President, I'm handling this bill because I had one of the previous bills. And I could leave it set wherever they want it, because it was given to me by the Governor's people. So, we'll let it sit on 2nd reading if that's what they want.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip.

SENATOR PHILIP:

Yeah, fine. I guess I have no agreement...no disagreement with that. If you want, put the amendment on, leave it on 2nd reading, fine.

PRESIDING OFFICER: (SENATOR BRUCE)

Could...could we move it, for the Secretary's purposes, move it back to 3rd with the understanding of the sponsor that he won't move it until he converses with you and you could break it back to 2nd. Alright. Motion is to adopt the amendment. On the motion to adopt, further discussion? All in favor say Aye. Opposed Nay. The Ayes have it. Amendment No....

SECRETARY:

2.

PRESIDING OFFICER: (SENATOR BRUCE)

...2 is adopted. Further amendments?

SECRETARY:

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. Senator Dawson, you will bring this back in case there is other...further amendments.

SENATOR DAWSON:

That is correct. Whatever they want.

PRESIDING OFFICER: (SENATOR BRUCE)

Okay. Thank you, Senator Dawson. Senator Joyce, you have a motion. Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, thank you. I move that the Senate Committee on Ag, Conservation and Energy be discharged from further consideration of Senate Bill 1259 and that the bill be placed on the Order of 2nd reading.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The motion is to discharge Senate Bill 1259 from the Committee on Agriculture and have it placed on the Order of 2nd reading. Is there discussion of that motion? Senator Grotberg.

SENATOR GROTBORG:

Yes, I think we would like an explanation of what it's all about from Senator Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President, yes. This is...what this is, is it is the approval of the...it requires the General Assembly approval of interstate compacts for handling of nuclear waste. What...what this...all that I'm asking is that this be moved to 2nd reading. The Department of...Illinois Department of Nuclear Safety is involved in...in compact...arranging compacts, now with other states regarding a site and whether or not...who is going to be the host state for nuclear waste. I don't think we have any problem with the...the Department of Nuclear Safety, but I

would just like us to be on record...to have them know that we do want to have a say in this, and that, you know, we want to be on record as saying that the General Assembly should be involved.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. There hadn't been any previous discussion about this at all, Senator Joyce. We are having a Rules Committee meeting on the 23rd at 11 a.m. I would suggest we pull it out of the record and discuss this then. It is kind of a controversial subject at this point.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, the rules have been waived on these bills, Senator.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Yes, thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a series of bills sponsored by Senator Joyce and myself with respect to the...the General Assembly having something to say about waste sites. And I think it's a good idea, frankly, that we move these bills. They...they've already been heard in committee. And to move them out onto the Calendar to show Director Gustafson and his department that we, in fact, are serious about wanting the General Assembly, on a bi-partisan basis, to have something to say about if there is going to be a site in the State of Illinois, one, where it is to be if it's to be at all. And that's the only purpose for this motion, and I wholeheartedly concur. We ought to get them out on the Calendar. My understanding is, that there is some movement in this respect already. Even though the director had been fully apprised,

and in fact, testified with respect to these bills, that he is plowing ahead absent any input from the General Assembly. I don't think we ought to afford him that opportunity. And I think by virtue of movement of these bills out onto the Calendar, perhaps it'll slow things down until we can have a chance to find out what's going on.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip.

SENATOR PHILIP:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. As you know, normally we discuss these things before they become before the Body. I had no indication about this whatsoever. I have members on this side that would like to do some of the same type of things that you're suggesting Senator Joyce does...is trying to do. To my knowledge, we have not suspended any rule at all. And it would seem to me there isn't any big rush for this, so we ought to wait for a Rules Committee meeting on the 23rd at 11 a.m. in the morning.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Yes, Senator Philip, I'm...I apologize if...we probably this side should have said something to you earlier. But there is a rush about this, and the reason there is a rush, in a long, long discussion I had with Director Gustafson just this past week at a meeting where he and I were both in attendance, he publically testified at that meeting, that a draft compact management plan has already been written. It was issued February the 9th with twelve midwestern states. They are in the process, and it's there time plan, to sign that contract either during the month of June or July of this year. When I asked Director Gustafson if Illinois was going to be a volunteer for a repository site for the twelve mid-

western states, his response was, and I quote, and I quoted this back to him to make sure that I was quoting him accurately. His response to my question was, "we're not going to volunteer right away." Now, as you know, when a compact between states is signed, you and I, Senator Philip, or anybody else in this General Assembly don't have anything else to say about it, because a compact under the United States Constitution is superior to, is senior to, the state constitutions and is senior to the State law. So we're out of the ballgame when that compact is signed. For some reason or other, the Chief Executive of this State has taken the...the...the tact of going ahead with these negotiations excluding everybody from the General Assembly. Other states, there have been members of the General Assembly and the Governor's Office talking, but not in Illinois. It has strictly been the Executive Branch that's been talking. All that Senator Joyce is trying to do with this is to say, we're going through the process, we have a bill here, we're willing to work on the bill, we're willing to talk about it, whatever, but we've got to show Director Gustafson at some point or another that we're serious and he better not be signing any compacts getting us involved in something over which we will have absolutely no say once that compact is signed. I think it's good public policy, and I think that it makes eminent sense that we...that we go ahead and just get the bill in the process, get it in the flow, and we'll have plenty of time to discuss it. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Maitland.

SENATOR MAITLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I...I regret that I was off the Floor when...when this issue first came up. On a day like this the media is constantly calling you out and constituents also, and some-

times we're not where we should be. Senator Joyce had discussed this issue with me a few moments earlier. We discussed it with staff over here. I, from my point of view, agreed that...that probably if...if the situation was as they were suggesting, Senator Buzbee and Senator Joyce, I saw nothing...nothing wrong with...with putting the bill on 2nd reading. I...I agreed with that, and how this side of the aisle goes is up to them. But I...I apologize to my own leadership for not making him aware of it and stand in...in...in support of the motion.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Two points that have intrigued me, and I admit that they were made by Senator Buzbee and not by Senator Joyce, so whichever one cares to respond is immaterial. Number one, is it inferred that by our taking this action summarily at this point, we are preempting the prerogative of the Director, Mr. Gustafson, from proceeding? And secondly, is it the inference that a compact, once enacted, then permanently preempts this Legislature?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

In...in answer to your second question first, Senator Berning. It's not implied, it is a fact of the United States Constitution that when an interstate compact is signed between the various states, that that contract is senior to the various state constitutions and the various state Statutes. We're out of the picture when that compact is signed. Now that's...that's a matter of the United States Constitution, and only the United States Congress or the Federal Courts can then make any changes in that. In answer to your first question, I think that what we're simply telling

Director Gustafson, by moving this bill on to 2nd reading, is just, we want to let you know, Director, that we are going to be involved in the process. You're not going to get us committed. In fact, Director Gustafson even admitted that he thought it would take General Assembly approval before he was able to do this. But we want to show him that we're interested, that we're sincere, and that we're going to be working through the process with...with this bill or some other bill as...as we go down the line.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

I still find it difficult to reconcile the positions here. The mere fact that we express our interest by moving a bill does not appear to me to have any preemptory effect on the director. That's one point. And secondly, the compact you refer to, can any departmental director bind this State of Illinois, or must it be the Governor who signs that compact?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee, I know you won't mind, UPI has asked leave to shoot still photographs from the gallery. Is there leave? Leave is granted. Now, Senator Buzbee, if you'll address yourself to the gallery, we will get a better shot. Senator Buzbee.

SENATOR BUZBEE:

No, Senator, your question, the director obviously cannot sign a contract. It has to be the Governor that signs the contract for an interstate compact. All this bill of Senator Joyce's says that, by the way I think I am a co-sponsor of it, all his bill says is, that before the Governor can sign the contract for an interstate compact, you have to have the General Assembly's approval. Now, there will probably be myriad amendments offered to this bill as it goes through the

process. Other states have been doing this, making compacts for this very same problem, and we have all kinds of good example we can use when we...when we get into the process of amending the bill and so forth. But, obviously, it's only the Governor that can sign the compact. This bill says before the Governor can sign that, that the General Assembly has to approve of it, which makes, to me, eminent sense.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Following that one step further, what I gather from this is that, yes, it's a laudable objective in attempting to prevent what could be unfortunate action by the...by the administration. But the inference is that we here may preempt the administration's prerogative in entering into compacts. Now I don't know whether that is true or not, but I can't believe that the mere fact of a legislative action to consider a bill is going to preempt the prerogative of the...of the Chief Administrator of this State to enter into any compact. That it appears to me, is a...an administration prerogative that we cannot impair. And if I am wrong, then I'd like to know, but this is the way it appears to me, and I would like to know why we are summarily taking action to just consider a bill, and without the ability to take any positive and permanent and definitive action, that we are just considering a bill. And you are telling us that that successfully preempts the prerogative of the Chief Executive.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Nimrod.

SENATOR NIMROD:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I too was at the meeting with Senator Buzbee, in fact, it was a joint meeting that we had at the NCSL Committee when, in fact, where they were represented the whole

subject was between the Committee on Energy as well as that of Natural Resources to discuss the whole issue of the compacts. Now, I too talked with Director Gustafson, and I am assured not only by him but also by the Governor's Representative, that there will be no signing of any compact without discussion and consultation with this Legislature. I think that for us to move this bill today and...bypass the normal rules, indicates that there is some emergency. Well, there is no emergency because that's going to be May or June. And I would say that those commissions and those committees which we already have, and the work that we've done, Senator Buzbee, is that we ought to make some contact with them through our...through our committees as well as our commissions and get the contact and exchange going so that when we discuss this bill after it goes through rules and comes on the Floor, that we can intelligently bring back reports of discussion. Now there's no urgent reason for us to pass a bill out to this Floor and indicate to people that there is something that's going wrong or something that's going haywire. There is...there is the total cooperation being extended to us by that group which is negotiating and working with these other states. They're willing to discuss it all with us. And the Governor's Offices...Representative has just told me even right now, again, that there, in fact, will be discussion and consultation with the Legislature before anything is signed. So, I would think that this is a premature action and should wait as our Minority Leader indicated, at least until March 23rd, and then maybe we can also get...all of us get some input from the various groups which certainly have a vital interest in this concern. I feel very strong that the Legislature has some voice in it, but I think it would be very wrong for us to indicate that the Governor or his staff is doing something improper or illegal.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President. You know, I...we have not seen the compact. Our staff hasn't had a chance to analyze it. We've had enough discussion on it, and I would suggest that we might have a roll call, because I...I don't think there's thirty votes here, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President, I'm going to yield to Senator Buzbee. He was...he wants to make some points at...that were involved in this meeting.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Buzbee.

SENATOR BUZBEE:

Well, I think Senator Philip's point is an excellent one. His staff has not seen any compact. That's right, Senator, nobody has seen any compact. The discussions on this thing started in June of last year in Dearborne, Michigan. There was not one member of this General Assembly that was in attendance at that meeting. The meetings have continued to go on. February the 9th, a draft management plan was submitted. That draft management plan will subject the State of Illinois to some superior commission which will make decisions as to which state is going to be the...the repository for this low level nuclear waste site. And not you, Senator Philip, not your staff, not Senator Rock, his staff, the Speaker or his staff, or the Minority Leader or his staff in the House has seen one iota about it. Now, I am quite frankly not willing to accept the role of the Governor telling us, well, listen, we'll be willing to talk to you about it. Don't worry about it. Their deadline for signing the contract is July of this year. Discussions that have

been going on for thirteen months as of that point, and we have not been included yet. I want this General Assembly to be on record as saying, Governor, you don't commit us to anything. And I don't care if the Governor is Jim Thompson, Dan Walker, Adlai, or whoever. You don't commit us to anything that we have no control over once it leaves this Statehouse, except through the United States Congress and through the United States Courts. And that's what an interstate compact does. All we have to do is simply start the process that we're going to be involved, we're going to be involved statutorily. Not by some nebulous assurance from the Governor's Office, don't worry about it, fellows, it's alright, we're going to talk to you about it. Why haven't they been talking to us about it since last June when it started? The time has come for us to put our hands up and say, we'd like to talk right now, Governor. I suggest to you that all we're doing is going through the legislative process. I suggest too, you ought to vote Aye on Senator Joyce's motion.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Joyce.

SENATOR JEROME JOYCE:

Yes, Mr. President. I...I would like to point out this bill is only going to 2nd reading. There will be plenty of opportunity to amend it, and I'm sure it will be amended. I think that all we're doing is sending a message saying that, yes, indeed, we want to be involved. So, I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 1259 be discharged from the Committee on Agriculture...the Senate Committee on Agriculture and be placed on the Order of 2nd reading. On that motion, those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish?

Have all voted who wish? Take the record. On that question, the Ayes are 22, the Nays are 1, 17 Voting Present. The motion to discharge is lost. Senator Etheredge, are you ready? Is there leave to go to the Order of Conference Committee Reports? Leave is granted. Conference Committee Reports. Are there any Conference Committee filed, Mr. Secretary?

SECRETARY:

Conference Committee Report. First Conference...

(END OF REEL)

REEL #2

SECRETARY:

...first Conference Committee Report on Senate Bill 315, Senator Etheredge is the Senate sponsor.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge is recognized.

SENATOR ETHEREDGE:

Mr. President, members of the Senate, the Conference Committee Report on Senate Bill 315 seeks to accomplish two things. First, it would transfer 1.8 millions of dollars from the budget of the Department of Public Aid to the Department of Children and Family Services, and it would shift approximately seven hundred thousand dollars from three different line items in the budget of the Department of Children and Family Services, and these monies would be transferred into the line item for day care services in the Department of Children and Family Service's budget. That's the first thing, or I should say that the reason for this transfer is that the Department of Children and Family Services has agreed through a consent decree to provide transitional day care for approximately two thousand children whose parents were removed from public aid by revisions and eligibility regulations. So that's the reason for this transfer. The second thing that this Conference Committee Report would accomplish would be a supplemental appropriation in the amount of three hundred and twenty-nine thousand five hundred dollars. That would...the reason for this supplemental appropriation which would also be for day care services and the employment related program...day care program, is that this amount of money would be necessary in order to fully fund the agreement which was reached between the administration and the General Assembly with the State-wide Coalition for Day Care last October. I'll be happy to respond to any questions that you may have.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt the first Conference Committee Report on Senate Bill 315. Is there a discussion? Senator Berning.

SENATOR BERNING:

Just one question. The three hundred and some odd thousand supplemental appropriation, where is that money being taken from?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Senator, that...that would be new money.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning.

SENATOR BERNING:

Out of our, roughly, 1.8 million dollars of checkbook balance?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge.

SENATOR ETHEREDGE:

Yes, the money would come from the General Revenue Fund, and it...it is a supplemental appropriation which has been agreed to by the administration.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berning. Alright. Senator DeAngelis.

SENATOR DEANGELIS:

Thank you, Mr. President. I rise in support of this Conference Committee Report. As...as Senator Etheredge has pointed out, there was considerable negotiations involved in taking care of the day care problem which was precipitated by a court involvement and a consent decree agreed upon by the Department of Children and Family Services. But more importantly, I think that this is good supply side Human Services. What we're doing is taking care of people who are,

in fact, going into employment and being able to take care of their children while they are employed, rather than being on public aid and having to fund a much greater amount than what we're appropriating with this transfer and with the supplemental approp. And I urge support from all members of the General Assembly.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate adopt the first Conference Committee Report on Senate Bill 315. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? (Machine cut-off)...who wish? Okay. Have all voted who wish? Take the record. On that question, the Ayes are 39, the Nays are none, none Voting Present. The Senate does adopt the first Conference Committee Report to Senate Bill 315, and the bill having received the required constitutional majority is declared passed. (Machine cut-off)...to go to the Order of Resolutions? Leave is granted. Resolutions.

SECRETARY:

Senate Resolution 423 offered by Senator Johns.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive Committee.

SECRETARY:

Senate Joint Resolution 70 offered by Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive. Is there leave to go to the Order of Introduction of bills? Leave is granted. Introduction of bills.

SECRETARY:

Senate Bill 1443 introduced by Senator Lenke.

(Secretary reads title of bill)

Senate Bill 1444 by the same sponsor.

(Secretary reads title of bill)

That was 1344.

Senate Bill 1345, same sponsor.

(Secretary reads title of bill)

Senate Bill 1346, same sponsor.

(Secretary reads title of bill)

Senate Bill 1347 by Senator...introduced by Senator Grotberg.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR BRUCE)

Rules Committee. Is there leave to go to the Order of Message from the House? Message from the House.

SECRETARY:

A Message by the House from Mr. Leone, Clerk.

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

House Joint Resolution 68.

(Secretary reads HJR 68)

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Joint Resolution 68 is the adjournment resolution. It calls for us to return to Springfield on March 23rd at the hour of noon. I would move for the suspension of the rules and the immediate consideration and adoption of House Joint Resolution 68.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to suspend the rules. On the motion to suspend, all in favor say Aye. Opposed Nay. The Ayes have it. The rules are suspended. On the motion to adopt, discussion? All in favor say Aye. Opposed Nay. The Ayes have it. The resolution is adopted. Any further business to come before the Senate? Senator Vadalabene moves that the

Senate stand adjourned until the hour of noon on March 23rd, 1982. On the motion to adjourn, all in favor say Aye. Opposed Nay. The Ayes have it. The Senate stands adjourned.