

83RD GENERAL ASSEMBLY

REGULAR SESSION

OCTOBER 19, 1983

PRESIDING OFFICER: (SENATOR BRUCE)

The hour of eleven having arrived, the Senate will come to order. The prayer today will be by Reverend Anthony Tzortzis of St. Anthony's Hellenic Orthodox Church of Springfield, Illinois. And will our guests in the galleries please rise.

REVEREND ANTHONY TZORTZIS:

(Prayer given by Reverend Tzortzis)

PRESIDING OFFICER: (SENATOR BRUCE)

Reading of the Journal. Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I move that reading and approval of the Journals of Wednesday, October the 5th and Tuesday, October the 18th, in the year 1983, be postponed pending arrival of the printed Journal.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Jerome Joyce, chairman of the Committee on Agriculture, Conservation and Energy reports House Bills 2106 and 2234 with the recommendation the bills Do Pass as Amended.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 351, by Senator Savickas and all members, congratulatory.

Senate Resolution 352, the same sponsors, congratulatory.

Senate Resolution 353, the same sponsors, congratulatory.

354, the same sponsors, congratulatory.

355, same sponsors, congratulatory.

And 356, by the same sponsors, congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Consent Calendar. Messages from the House.

ACTING SECRETARY: (MR. FERNANDES)

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

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

House Joint Resolution 73, congratulatory.

74, congratulatory.

House Joint Resolution 75, congratulatory.

76, congratulatory.

79, congratulatory.

And 81 is a death memorial.

PRESIDING OFFICER: (SENATOR BRUCE)

Consent Calendar.

ACTING SECRETARY: (MR. FERNANDES)

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

House Joint Resolution 76, 80, 68 and 77.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive Committee. (Machine cutoff)...for what purpose do you arise?

SENATOR DAVIDSON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR DAVIDSON:

Mr. President and members of the Senate, it's my pleasure to introduce to you a couple whose ancestral roots are from here in Springfield but who are natives of England. I would like to present to this Senate, Major and Mrs. Charles Hay from Lemington Hampshire, England.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in the galleries please rise and be recognized by the Senate. Welcome to Illinois. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1359, by Senator Mahar.

(Secretary reads title of bill)

House Bill 1360, Senators Etheredge, Sangmeister, Rupp and Coffey.

(Secretary reads title of bill)

1st reading of the bills.

PRESIDING OFFICER: (SENATOR BRUCE)

Rules Committee. With leave of the body, we will go to page 15 of your Calendar on specific recommendations for change... (machine cutoff)... Bill 66, Senator Netsch. Senate Bill 69, Senator Davidson. Is Senator Davidson on the Floor? Senate Bill 97, Senator Luft. We're on page 15 of your Calendar, Ladies and Gentlemen, page 15. Senator Davidson, Senate Bill 69 is back with the Governor's Message dealing with liquid petroleum gas in school buses. Did you wish to proceed? Mr. Secretary, has a motion been filed with regard to Senate Bill 69?

ACTING SECRETARY: (MR. FERNANDES)

Yes.

PRESIDING OFFICER: (SENATOR BRUCE)

Please read the motion.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendation of the Governor as to Senate Bill 69 in manner and form as follows. Signed, Senator Davidson.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Davidson is recognized on the motion.

SENATOR DAVIDSON:

Mr. President and members of the Senate, the amendatory

change was to put back in the bill the word "school bus" which had been inadvertently changed to the word "motor vehicle" with the amendment we put on in the Senate. This puts it in the intent the bill was made for. It had to do with liquified petroleum tanks on school buses for fuel. I would move to concur...or to accept the amendatory veto.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. You've heard the motion. Is there discussion? It's on page...the motion itself is on page 22 of your Calendar. The bill itself is on page 15 of your Calendar. Can work off either list you wish to. Senate Bill 69. Further discussion? The motion is to accept. The question is, shall the Senate accept the specific recommendation of the Governor as to Senate Bill 69 in the manner and form just explained by Senator Davidson. 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 52, the Nays are none, none voting Present. The Senate does accept the specific recommendation of the Governor as to Senate Bill 69, and the bill having received the required constitutional majority is declared passed. Senate Bill 97, Senator Luft. Has Senator Luft returned to the Floor? Senate Bill 133, Senator Dawson. Senate Bill 149. Senate Bill 176, Senator Schaffer. Read the motion, Mr. Secretary, please. We are on page 22 of your Calendar, under motions in writing to accept the specific recommendations for change. The Secretary is recognized.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 176 in manner and form as follows. Signed, Senator Schaffer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer is recognized.

SENATOR SCHAFFER:

Mr. President and members of the Senate, what the Governor did with Senate Bill 176 was make the necessary change to make it and House Bill 664, I believe, compatible. House Bill 664 dealt with assessment procedures at the township level. Senate Bill 176 dealt with assessment procedures at the supervisor of assessment's level at the county level, and I think the changes put the two bills into sync and are a good idea.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The motion is to accept. The question is, shall the Senate accept the specific recommendation of the Governor as to Senate Bill 176 in the manner and form just explained by Senator Schaffer. 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 55, the Nays are none, none voting Present. The Senate does adopt the specific recommendations of the Governor as to Senate Bill 176, and the bill having received the required constitutional majority is declared passed. Senator Netsch was off the Floor...Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, on a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

State your point.

SENATOR VADALABENE:

In the gallery right behind you there we have, in the President's gallery, the township road commissioners of the State of Illinois and also the township officials, and I would like for them to stand and be recognized.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in the galleries please stand and be recognized by the Senate. Welcome to Springfield. Senator Netsch, are you ready on Senate Bill 66? Senator Netsch was

*SB 66
Approved
10/19/83*

off the Floor, is there leave to return to that bill? Senator Luft, you also have two motions that will be coming up immediately, if you are prepared, on Senate Bill 97. Is there leave? Leave is granted. Read the message on Senate Bill 66, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 66 in manner and form as follows. Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. The bill was designed to remove judges from electoral boards, a requirement that we believe the Constitution mandates and certainly that the Supreme Court and the other judges have requested. The amendatory veto, which is one of the Governor's relatively few absolutely appropriate uses of an amendatory veto, simply changes the effective date. He points out that without an immediate effective date, the bill would take effect on January 1, right in the...the midst of the process. That it would make a good deal more sense for it to have an immediate effective date so that the bill would be fully operative by the time we begin the electoral board process. For that reason, I fully accept the Governor's proposed change and would move acceptance of his specific recommendations.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Is there discussion? The question is, shall the Senate adopt the specific recommendations as to Senate Bill 66 in the manner and form just explained...Senator Geo-Karis, on this bill? Senator Geo-Karis.

SENATOR GEO-KARIS:

Under this bill, if I may...

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please. Senator Geo-Karis.

SENATOR GEO-KARIS:

...under this bill, if I may address my query to the sponsor, she is removing all judges from any of these electoral disputes. I...I don't know if...if that's true, even if the judges would like it, I still think the presence of a judge on an electoral board dispute, I think would make it incumbent upon that judge to be as careful as possible to make the best decision possible, and I question whether it's wise to remove all the judges from the...electoral boards...disputes.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Netsch may close.

SENATOR NETSCH:

Thank you. That part has already been dealt with and the bill passed out by virtually...or by overwhelming votes, and I...I should point out, Senator Geo-Karis, that that is not what the Governor is concerned about. He says, as a matter of fact, this bill rightfully removes executive duties from the responsibility of judicial officers. That is something that the Constitution mandates, and this is simply a carrying out of that process. They will see those disputes but in their appropriate role as judges. So that the only thing that the Governor suggested was that it ought...the...the effective date of the bill ought to be changed so that it would have time fully to operate.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? The question is, shall Senate Bill 66 pass...the question is, shall the Senate accept the specific recommendation of the Governor as to Senate Bill 66 in the manner and form just explained by Senator Netsch. 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 50, the Nays are 4, none voting Present. The Senate does adopt the specific recommendation of the Governor as to Senate Bill 66, and the bill having received the required constitutional majority of Senators elected is declared passed. Senator Luft on Senate Bill 97. Read the message...read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I...I move...pardon me. I move to accept the specific recommendations of the Governor as to Senate Bill 97 in manner and form as follows. Signed, Senator Luft.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft is recognized on the motion.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 97 had two provisions relating to the assessment of real property. The first section established an informational notice in downstate counties to assist taxpayers in determining the fair market value of their property. That was left in. The Governor eliminated the second part in Senate Bill 97. That gave the property taxpayers the right to appeal the assessment on their property directly to the State Property Tax Appeal Board if it went over thirty-three and a third percent. The Governor thought that was wrong and you should go to the local board first. He also instituted and provided an annual notice of local legalization action to be mailed by the township assessor or supervisor of assessment to each taxpayer. If the board of review multiplier became part...a permanent part of the person's assessment, the Governor thought that should be...the taxpayer should be notified.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? Senator DeAngelis, did you wish to comment on this? Alright. The question is, shall the Senate accept the specific recommendations of the

Governor as to Senate Bill 97 in the manner and form just explained by Senator Luft. 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 57, the Nays are none, none voting Present. The Senate does adopt the specific recommendations of the Governor as to Senate Bill 97, and the bill having received the required constitutional majority is declared passed. Senator Dawson on the Floor? Senator Keats, for what purpose do you arise?

SENATOR KEATS:

If I could have the attention of my colleagues for a minute, in the balcony we've got some friends from the Federal Republic of Germany visiting. They're from Count Ernst College which is in...I can barely pronounce...Uelzen, which is actually between Hamburg and Hanover, only ten miles down from the iron curtain. They are here visiting, and when I was in Germany last April visited. Their teacher is Karl Jongeling, and they are visiting at McMurray College with Doctor Wolf Fuhrig and his political science classes. And I just wanted to welcome all of them here to the United States.

PRESIDING OFFICER: (SENATOR BRUCE)

...welcome to Springfield and the United States. Happy to have you here. Senate Bill 263, Senator DeAngelis. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 263 in manner and form as follows. Signed, Senator DeAngelis.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. Senate Bill 263 as it left the Senate and passed the House

had two parts to it. One raised the maximum award. The second part had a requirement that all applicants for scholarships show proof of registration in the selective service system. The Governor amendatorily vetoed the second part and put it into compliance with the Federal law, part 668...

PRESIDING OFFICER: (SENATOR BRUCE)

May we have some order, please.

SENATOR DeANGELIS:

...of Title XXXIV, therefore avoiding the duplication of submitting different documents and having the universities and colleges having to do additional paper work. So, therefore, I move to accept the...specific recommendations for change of the Governor on Senate Bill 263.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate adopt the specific recommendations of the Governor as to Senate Bill 263 in the manner and form just explained by Senator DeAngelis. 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 58, the Nays are none, none voting Present. The Senate does adopt the specific recommendations of the Governor as to Senate Bill 263, and the bill having received the required constitutional majority is declared passed. If I might have the attention of the membership, a question has...has come up of why we are skipping bills. If...if you are following the proceedings on page 15 of your Calendar, that is a list of all bills that have had actions by the Governor in which he has made specific recommendations for change. So, we are going down page 15, it would appear, but if you will go to page 22, that is the list of bills we are working off of because the Senators have filed motions. Any bill that we skip on page 15 we have not had a motion

filed, and if that is your bill or you have an interest in that bill, you should file the motion; otherwise, by tomorrow the bills on which motions have not been filed will become dead. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, if you file a motion tomorrow, would that be too late?

PRESIDING OFFICER: (SENATOR BRUCE)

We are encouraging all members to file motions by the close of business today so that they can be printed on the Calendar. We will not deny anyone a chance to...to hear a motion tomorrow, but we will hear all printed motions and then take motions that have been filed after the Calendar was printed, because that shows a little advanced planning. Senate Bill 286, Senator Fawell. Senator Grotberg, for what purpose do you arise?

SENATOR GROTBERG:

Thank you. On a point of order, Mr. President, you referred to it, I would like it said loud and clear. We are going to be here tomorrow and work the Calendar to its conclusion?

PRESIDING OFFICER: (SENATOR BRUCE)

May I have some order, please. Senator Grotberg is making a significant point for us. Senator Grotberg.

SENATOR GROTBERG:

Only to have the Chair clarify that we are going to be here tomorrow, work the Calendar to its logical conclusion and then leave, and not before that.

PRESIDING OFFICER: (SENATOR BRUCE)

I...I would have...wish to have the attention of the Body. We will be working late tomorrow. For those of you who plan to check out, you may want to make plans because we will work late enough that some of us will be staying over tomorrow.

SENATOR GROTEBERG:

Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

We will work that late tomorrow and we may, in fact, be here late into the evening. And so, be...be apprised as you check out of your hotels and motels that you may need to get back in someplace tomorrow night if we stay here late enough. Senator Fawell on Senate Bill 286. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 286 in manner and form as follows. Signed, Senator Fawell.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell is recognized.

SENATOR FAWELL:

Thank you, Mr. President. All this amendment does is merely clear up the language and it provides that the government agency of a non-profit...organization will be liable for the unemployment benefit if the person...person loses that job. This bill concerned unemployment benefits for part-time workers for the city and the villages and also for non-profit organizations in the original form. I'll be glad to answer any questions.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Darrow is recognized.

SENATOR DARROW:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates she will yield. Senator Darrow.

SENATOR DARROW:

What is the current practice now for these organizations...not-for-profit organizations. You're...you're including girl scouts and people like that, isn't that cor-

rect? And then what is their current practice?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

What...what has been happening over the last few years is, if you have a part-time job and you have a part-time job with a, you know, non-profit organization or a village or city or township government and you are layed off of the other part-time job that you might hold...for instance the...let me give you an example and it'll...it'll clear it up I think. I had a...a crossing guard who...who crossed children in the morning and the afternoon and had another job in between at a stationery store. She was fired at the stationery store...layed off at the stationery store and, all of a sudden, the village found out that they had to also pay her unemployment insurance even though they still hired her...or they were still employing her and paying her the regular salary that she always earned. It's...it's a...it's a...really a cleanup Statute...this is to eliminate that.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Darrow. May we have some order, we're just a little noisy this morning. Senator Darrow.

SENATOR DARROW:

So, this will then increase the amount or the premium for the not-for-profit organization, the girl scouts and the other United Way agencies, won't it?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Fawell.

SENATOR FAWELL:

No, because right now the non-for-profit organization has this same problem. They are paying unemployment insurance benefits if they have an employee that was layed off from another job that has absolutely nothing to do with the nonemployment...non-profit...organization.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Demuzio. Alright. Further discussion? Senator Fawell, did you wish to close?

SENATOR FAWELL:

I would solicit your Aye vote.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the...Senate adopt the specific recommendations of the Governor as to Senate Bill 286 in the manner and form just explained by Senator Fawell. 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 56, the Nays are 1, none voting Present. The Senate does adopt the specific recommendations of the Governor as to Senate Bill 286, and the bill having received the required constitutional majority is declared passed. Senate Bill...let's see. The Chair inadvertently skipped Senate Bill 149. Senator Luft wished to hold one bill and I inadvertently skipped the wrong one. Senate Bill 149, has there been a motion filed, Mr. Secretary?

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations as to Senate Bill 149 in manner and form as follows. Signed, Senator Luft.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft is recognized.

SENATOR LUFT:

Thank you, Mr. President. Senate Bill 149 was the ethanol bill with four-cent exemption on gasohol. The Governor made two changes in it. He exempted the gasohol from the one-cent hike in sales tax that the Legislature passed January 1st, and he also specified that the sales tax exemption does not apply to local sales tax...sales tax taxes.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you. Senator Luft, a question. Is the...did he do anything with respect to the phasing in or out of the sales tax exemption? I did not have a chance to check that. Would...

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Luft.

SENATOR LUFT:

No.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Netsch. Alright. Further discussion? Senator Luft, did you wish to close? The question is, shall the Senate adopt the specific recommendations of the Governor as to Senate Bill 149 in the manner and form just explained by Senator Luft. 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 59, the Nays are none, none voting Present. The Senate does adopt the specific recommendation of the Governor as to Senate Bill 149, and the bill having received the required constitutional majority is declared passed. Senate Bill 304, Senator Demuzio. Senator Demuzio on the floor? Alright. Senator Carroll, on 306, are you ready to proceed? Read the...read the motion, Mr. Secretary, please. Is there leave to come back to Senator Demuzio's bill? Leave is granted. Senator Carroll is...Mr. Secretary, read the motion on Senator Carroll's bill.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the...the specific recommendation of the Governor as to Senate Bill 306 in manner and form as follows. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Carroll is recognized.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. What we had done with the Northeastern Illinois Planning Commission, there were two pieces of legislation moving through to add members. Both were agreed to; when they got to the Governor's Desk, he recognized that the signing of each could cause some confusion as to the totality of members and the numbers therein, so has decided to amendatory veto...veto the one bill and amendatory veto the other so that we could combine the two into one and then have the...the correct total. This bill does that, and I would, therefore, move that we do accept the Governor's recommendation for change. It will allow the park districts to be on the Northeastern Illinois Planning Commission in addition to the additional mayors, and I would, therefore, move that we do accept the Governor's recommendation for change.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The motion is to accept. The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 306 in the manner and form just explained by Senator Carroll. 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 58, the Nays are 1, none voting Present. The Senate does adopt the specific recommendations of the Governor as to Senate Bill 306, and the bill having received the required constitutional majority is declared passed. Senator Demuzio on the Floor yet? Alright. Senate Bill 476, Senator Etheredge. Alright. Read the motion, Mr. Secretary, please, on Senate Bill 476.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 476 in manner and form as follows. Signed, Senator Etheredge.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Etheredge is recognized.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, the Governor's Amendatory Veto provides that the...the tax on...which is presently levied on coin operated devices also be applied to devices which are operated by tokens. I would ask for a favorable...vote on the motion to accept the Governor's veto.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

I concur.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate adopt the specific recommendation of the Governor as to Senate Bill 476 in the manner and form just explained by Senator Etheredge. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The Senate does adopt the specific recommendation of the Governor as to Senate Bill 476, and the bill having received the required constitutional majority is declared passed. Senate Bill 482, Senator Schaffer. Alright. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the...specific recommendations of the Governor as to Senate Bill 482 in manner and form as follows. Signed, Senator Schaffer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer is recognized.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is the bill

that dealt with the antique steam engines, that some of you will recall. The Governor has...added some language which indicates that the association, which would be the historical associations, would provide proof of construction or inspection for the boiler board. I am assured by the Fire Marshal's Office and by the Governor's Office that they are going to be reasonable and rational, and with that understanding, I'm willing to accept the added language and I would appreciate your approving it.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate adopt the specific recommendation of the Governor as to Senate Bill 482 in the manner and form just explained by Senator Schaffer. 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 56, the Nays are none, none voting Present. The Senate does adopt the specific recommendations of the Governor as to Senate Bill 482, and the bill having received the required constitutional majority is declared passed. Senate Bill 536, Senator Collins. 582, Senator Bloom. Is there leave to return to that bill later? Leave...leave is granted. 598, Senator Marovitz. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 598 in manner and form as follows. Signed, Senator Marovitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz is recognized.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. I would move that we...the Senate do accept the Governor's specific recommendations for change to Senate Bill

598. All the Governor's recommendation does is immunize from liability the Department of Corrections in notifying people that there has been a judgement...rendered in favor of the perpetrator of a violent crime so that the victim of that violent crime may be able to sue that perpetrator...having notice. I have no problem with the immunization that the Governor put in it so that there will be no liability on the Department of Corrections, and I would ask that we do accept the Governor's specific recommendation for change of Senate Bill 598.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is,...shall the Senate accept the specific recommendations of the Governor as to Senate Bill 598 in the manner and form just explained by Senator Marovitz. 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 57, the Nays are none, none voting Present. The Senate does adopt the specific recommendations of the Governor as to Senate Bill 598, and the bill having received the required constitutional majority is declared passed. Senate Bill 619, Senator Egan. Senator Egan on the Floor? With leave of the Body, we can return to Senate Bill 582, the bill just preceding the one we acted upon. Senator Bloom indicates he is ready. Would the Secretary please read the motion.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendation of the Governor as to Senate Bill 582 in manner and form as follows. Signed, Senator Bloom.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Bloom is recognized.

SENATOR BLOOM:

Yes, thank you, Mr. President. What the amendatory veto

does is to basically clarify when the inheritance tax ends in Illinois. It's a simple clarifying amendment, and I'd move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate accept the specific recommendation of the Governor as to Senate Bill 582 in the manner and form just explained by Senator Bloom. 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 57, the Nays are none, none voting Present. The Senate does adopt the specific recommendations of the Governor as to Senate Bill 582, and the bill having received the required constitutional majority is declared passed. Senate Bill 713, Senator Weaver. Has there a motion been filed, Mr. Secretary, and read it, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 713 in manner and form as follows. Signed, Senator Weaver.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Weaver is recognized.

SENATOR WEAVER:

Thank you, Mr. President. This merely changes the definition of research parks. It narrows it by referring them to...referring to them as medical research and high...technology parks, and I would move acceptance of the amendatory veto.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate adopt the specific recommendations of the Governor as to Senate Bill 713 in the manner and form just stated by Senator Weaver. 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 55, the Nays are none, none voting Present. The Senate does adopt the specific recommendations of the Governor as to Senate Bill 713, and the bill having received the required constitutional majority is declared passed. Senate Bill 740, Senator Watson. Senator Watson. Senate Bill 794, Senator Holmberg. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 794 in manner and form as follows. Signed, Senator Holmberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Holmberg is recognized.

SENATOR HOLMBERG:

This is just a technical correction. It deletes a comma which had changed the meaning of the Act and...the comma had indicated that the Department of Public Health would issue the drug, and they will only issue the certificate giving permission.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate adopt the specific recommendation of the Governor as to Senate Bill 794 in the manner and form just explained by Senator Holmberg. 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 59, the Nays are none, none voting Present. The Senate does adopt the specific recommendations of the Governor as to Senate Bill 794, and the bill having received the required constitutional majority is declared passed. Senate Bill 811, Senator Coffey. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

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

Governor as to Senate Bill 811 in manner and form as follows.
Signed, Senator Coffey.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Coffey is recognized.

SENATOR COFFEY:

Thank you, Mr. President and members of the Senate. The Governor recommends six...six technical changes to this bill which does not alter the substance in any way. These changes...

PRESIDING OFFICER: (SENATOR BRUCE)

Excuse me, Senator Coffey. May we have some order, please. If we can clear the aisles. If we can take our conversations off the Floor, we can proceed in an orderly fashion. Senator Coffey is recognized.

SENATOR COFFEY:

...these changes are contained within the legal descriptions of the properties and are not...are technical only, and I'd move to accept the Governor's recommendation for change.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to accept. Discussion of that motion? The question is, shall the Senate adopt the specific recommendation of the Governor as to Senate Bill 811 in the manner and form just explained by Senator Coffey. 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 55, the Nays are none, none voting Present. The Senate does adopt the specific recommendations of the Governor as to Senate Bill 811, and the bill having received the required constitutional majority is declared passed. Senate Bill 879, Senator Schaffer. Read the bill, Mr...read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendation of the Governor as to Senate Bill 879 in manner and form as follows.

Signed, Senator Schaffer.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer is recognized.

SENATOR SCHAFFER:

Mr. President, Senate Bill 879 was a fairly innocuous bill when it left the Senate, and as sometimes happens, when it got over to the House, there were a number of amendments put on. This one didn't become a Christmas tree, it more became a fountain and had a lot to do with water from the city into the suburbs, et cetera, and one of the provisions that got tagged on was...involved the sale of water companies to municipalities. And the Governor has put some amendatory changes in striking some population limits at the recommendation of Chapman and Cutler as it involves bonds. I believe that the overall effect is a compromise that all sides involved are prepared to live with, and would urge its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Senator Berman.

SENATOR BERMAN:

Will the sponsor yield? Is this the bill that, I think, Senator Barkhausen talked about during the original Session. Evanston was concerned at one point regarding the bill's dealing with water. Is any of that involved in this bill, and does Evanston have any problems with this if you're...if you are aware?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Schaffer.

SENATOR SCHAFFER:

It...it may very well be involved that subject. I think Senator Barkhausen was referring to another bill, but I think portions of that bill ended up in this bill. If I understand the situation correctly, although the controversy in Evanston was, I believe, as I understand, it in the negotiations in the spring resolved early on. That was several crises ago

on this bill, and the last crisis involved something down in Will County involving the buying of a water company. I believe that's been worked out, and I am unaware of any problems with that compromise or the other ones, and I specifically remember Evanston's concerns, and I do not believe this should cause them any problems at all.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? The question is, shall the Senate accept the specific recommendation of the Governor as to Senate Bill...879 in the manner and form just explained by Senator Schaffer. 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 58, the Nays are none, none voting Present. The Senate does adopt the specific recommendation of the Governor as to Senate Bill...879, and the bill having received the required constitutional majority is declared passed. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen. If I can have the attention of the membership, I would suggest that the Senate stand in Recess until one-thirty to afford...to give us the opportunity to do two things; one, Senator Philip and I would like to invite...and the caucus chairmen will issue the formal invitation to our respective caucuses and then we can have an opportunity to have some lunch. Caucus shouldn't take more than two minutes.

PRESIDING OFFICER: (SENATOR BRUCE)

Announcements? Senator Johns.

SENATOR JOHNS:

Yeah, especially to those Senators that are in their offices and not in their seats, or outside in the hallway, immediately in the President's Office, a caucus of the Demo-

cratic Party.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Johns, the room?

SENATOR JOHNS:

(Machine cutoff)...Office. I just said that but you might have missed it, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Okay. Alright. Senator Davidson.

SENATOR DAVIDSON:

There'll be a caucus, Republican members of the Senate, in Senator Philip's Office immediately upon Recess.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Republican and Democratic Caucuses immediately. The motion is to stand in Recess until the hour of one-thirty. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Senate stands in Recess until one-thirty.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Senator Maitland, for what purpose do you arise?

SENATOR MAITLAND:

Thank you, very much, Mr. President. Today, seated in the...the back...the rear gallery on the left side are a group of students from the University of Illinois. I had the opportunity to visit with them this morning, as did some other members of the Body. First of all, they are delighted that Illinois was victorious on...on Saturday, most of them were in attendance and so we had a little discussion about that this morning, and they're encouraging all of us to support the Fighting Illini on their journey to...hopefully, their journey to Pasadena later this winter. But they are a...a group of young people from the University of Illinois,

students...of the college...of agriculture who are here today on a legislative...seminar, and their spokesman is a gentleman who is a resident of my district, Mr. Bob Quick, and also their advisors are Doctor Hummel and Doctor Bonwardt, and I would like them to stand and be recognized by the Body.

PRESIDENT:

Will our guests please stand and be recognized. Welcome to Springfield. Senator Schaffer, for what purpose do you arise?

SENATOR SCHAFFER:

Mr. President and members of the Senate, as has been discussed with leadership, in the course of the summer we did come across, through the Commission on Mental Health, a problem involving some of our facilities in the community for the developmentally disabled involving the interpretation of the term "ambulatory" as it applies to licensure for...CLF's, community living facilities. It is apparent a small technical change is needed in the law to allow one at least, and I believe several facilities to continue operations for people in wheelchairs who are ambulatory but obviously are in wheelchairs. There's an agreed amendment that has been worked out and I don't believe there's any controversy, and I would like to move at this time to discharge the Committee on Public Health of Senate Bill 1309 for the purpose of striking the enacting clause and adding this subject and this subject alone to that bill to resolve the problem.

PRESIDENT:

Alright, you've heard the motion as placed by Senator Schaffer to discharge Senate Bill 1309 from further consideration of the Senate Public Health Committee and asked that it be placed on the Order of 2nd Reading to be amended. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered.

(Machine cutoff)...Demuzio, for what purpose do you arise?

SENATOR DEMUZIO:

Yes, thank you, very much, Mr. President. This morning, House Joint Resolution 77 was read into the record. It was, I am told, assigned to the Committee on Executive. I'd like to move to discharge House Joint Resolution 77 and have it placed on the Order of 2nd Reading. What it does, it would authorize the...the Illinois Audit Commission to accept applicants for the position of Auditor General and thereby keeping those applicants in confidence until the final selections have been made, and allowing the Legislative Audit Commission or the committee to review the applications in...in a closed session. I don't know of any...objections, and I would ask that it be moved to the Order of 2nd Reading.

PRESIDENT:

Yes, it will be placed on...if the motion prevails, it will be placed on the Secretary's Desk so that all members will have the opportunity. House Joint Resolution 77, Senator Demuzio has asked that the Committee on Executive be discharged from further consideration of that joint resolution and asked that it be placed on the Calendar on the Order of Secretary's Desk. Any objection? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries, and it is so ordered. Senator Zito, are you ready? Alright. We'll continue where we left off on the Calendar. It's the intent of the joint leadership to work until approximately six o'clock. So, I would ask the members to stay close at hand. We'll go through the Calendar just as rapidly as possible. There is a great deal of business yet to transact. On the bottom of page 23, on the Order of Motions in Writing to Accept Specific Recommendations for Change, is a motion on Senate Bill 919, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the

Governor as to Senate Bill 919 in manner and form as follows.
Signed, Senator...Zito.

PRESIDENT:

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. Senate Bill 919 began as a very simple bill. When it went to the House, there were several amendments that were quite controversial that were added to the bill. The bill did pass, however, both Chambers. When it got to the Governor's Desk, he saw fit to take those controversial amendments off. Therefore, I...I made my motion and would once again move that the...specific...recommendations of the Governor be accepted.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 919 in the manner and form just stated by Senator Zito. 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? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 919 having received the required constitutional majority are declared accepted. Top of page 24, Senator Demuzio, 981. 995, Senator D'Arco. On the Order of Motions in Writing, top of page 24, is a motion on Senate Bill 995, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 999 in manner and form as follows.
Signed, Senator D'Arco.

PRESIDENT:

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The Governor changed the wording of the criminal intent to make it more specific, and it was a good change and, therefore, I move to accept the Governor's specific change...recommendation for change.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 995 in the manner and form just stated by Senator D'Arco. 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? Have all voted who wish? Take the record. On that question, there are 53 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to Senate Bill 995 having received the required constitutional majority are declared accepted.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senate Bill 996. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 996. I move to accept the specific recommendations of the Governor to Senate Bill 996 in manner and form as follows. Signed, Senator D'Arco.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator D'Arco.

SENATOR D'ARCO:

Thank you, Mr. President. The Governor changed back to seven days the time allowed to return a rented vehicle after a written demand had been made. It was three days in the bill, and he said the post office needed that time to notify the person that a demand had been made, and I ask that we accept the Governor's specific recommendation for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The motion is to accept the...specific recommendations. 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? Have all voted who wish? The question is, shall the Senate accept the specific recommendations of the Governor to Senate Bill 996 in the manner and form just stated by Senator D'Arco. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The specific recommendations of the Governor to Senate Bill 996 having received the required constitutional majority vote of the Senators elected is declared accepted. 1025, Senator Carroll. Senator Carroll on the Floor? Senate Bill 1025. Mr. Secretary, read the...

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 1025 in manner and form as follows. Signed, Senator Carroll.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is the part of the Prairie State that dealt with the long-term planning for the Department of Commerce and Community Affairs. The Governor had recommended some changes to make it more clarifying and technically correct for the department. I think that those are worthwhile changes in that they will make these plans easier for the department to do and, therefore, give us more information; and I would, therefore, move that we do accept the Governor's specific recommendations for change.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor to Senate Bill 1025 in the manner and form just

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stated by Senator Carroll. 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? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1025 having received the required constitutional majority vote of Senators elected are declared passed. Senate Bill 1070, Senator Sangmeister. Read the...message, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 1070 in manner and form as follows. Signed, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Yeah, thank you, Mr. President and members of the Senate. If you recall, Senate Bill 1070 originally did three things and added an additional commissioner to the Industrial Commission. It increased the interest rates on awards that were on appeal, and there was a Statute of Limitations extension for asbestosis claims. The Governor in his amendatory veto provided that in 19B petitions that they be to a commissioner rather than...to the commission as a whole, and he also...gave an alternate program that if the program as we enacted by law does not work that the commission can use another plan so there's an alternate procedure. And, of course, the bill does not become effective before July 1st of 1984. In his amendatory veto he used the following language: "However, when a petitioner appeals an award of an arbitrator or the commission and the appeal results in no change in the award, interest shall not further accrue from the date of such appeal." That has led to some confusion, and as a result, I have received a letter from the Governor to clarify

that situation and I'd like to read, if you'll bear with me, that...that letter into the legislative record. "Dear Senator Sangmeister, it has come to my attention that a provision I included in my amendatory action on your bill, Senate Bill 1070, is somewhat ambiguous and, therefore, could result in a misinterpretation of the change. In question is the action I took which would restrict under certain circumstances the application of interest payable on worker's compensation settlement. Prior to the amendatory change, if either party appealed to the decision of the arbitrator or the Industrial Commission, interest would automatically become effective and would remain in effect until the conclusion of the appeal process. Under the amendatory change, if a worker files an appeal of the decision of an arbitrator or the Industrial Commission and the decision is upheld, the interest provision would not apply. I took...I took this action so as to prevent possible abuse by workers simply seeking to increase their final settlement, but because the amendatory language...or message used the term "petitioner" as a reference to the injured worker, a definition commonly used by the Industrial Commission, some parties have expressed concern that such usage could be interpreted to refer to either party when a case is placed on appeal. Therefore, the intent of the term "petitioner" is meant to apply to workers who appeal the decision of the arbitrator or the commission, and it should no way be construed to apply to any other party," and we put that in the record for clarification. I might say to you that you have received some communications concerning Senate Bill 1070. There are a few things that I think, too, should be corrected in this legislation. It will not become effective before July 1st of next year, and I plan on holding some meetings in March or April of next year at the latest bringing all parties involved, the Industrial Commission, the manufacturers, the Chamber of Commerce and labor and

everybody else, and we're going to try to rework this piece of legislation. But at this time, I would move that we accept the specific recommendations of the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Keats.

SENATOR KEATS:

To speak briefly to everyone concerned to the bill. I appreciate Senator Sangmeister's open-mindedness, I'm mean he's...he's had it going in one ear and out the other on this one for six months. What I just want to say on the bill, everyone concedes the bill does have some problems. It had some good points, and anyone who says there's no good points is wrong. There's some good points in this bill, and the asbestosis has been a political football for years and, I mean, people concede something has to be done. The question on the bill is that it said that labor and business will sit down and clean this up next year. Now, I didn't just fall off the apple cart this morning. You know as well as I do, once we put something in the law books we ain't going to sit down and rediscuss a couple of technical problems. This bill, because of the veto, does not take effect until plenty of time to pass the same bill next year, and this bill went out with 40 votes...41, something like that. The bill had enough votes that it can be passed again. And even if we do sustain the Governor's veto, even if we do put this bill into law, it would take effect no sooner than if we did it over next year and just set the same effective date. So, time is not of...or I should say, time is not a problem. The issue is, once we put a couple of the glitches in this bill in, I guarantee we will not correct these glitches, and I think all of you know as well as I know that we just won't clean them up. So, while there are some good points in the bill, we lose absolutely...absolutely nothing by holding back on the bill, and we could redo it next year, and with 40 votes hav-

ing passed it...it'll still take effect at the same time but without the glitches. So, I would ask us to just hold off on a bill that does have some merit but also has a few problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you...thank you, Mr. President. I'd just like to make a couple of points. The...both the sponsor and the previous speaker have mentioned that there are some problems with this bill. So, I think we're faced with the question of whether we approve the bill now, or if we clean up the problems and then approve it next year. I think the...I think the latter is what we should do. Most of us, when we talk to groups back home in our district, talk about the importance of improving the business climate in Illinois and trying to contain some of the costs of employers. Now, this bill is going to cost employers more money. Nobody knows how much. The bill also is going to do some things for some workers that we ought to do. We should extend the Statute of Limitation on asbestosis claims, but should we extend it from three years to twenty-five years? I think that the better course would be to delay this action, work out the problems and then pass a bill. If we pass this bill, we're not going to correct it next year. I would urge opposition to the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGHEISTER:

Well, I'm not sure what all the glitches are that you're referring to that are in the bill. It isn't...you know, it isn't that big a piece of legislation, and the few problems, if any, that are there...as I say, I've given my word that I will even head the committee to...to put the thing together to talk about next spring. So, it's not going to be a situation where that's not going to occur. I...I say that

publically here on the Floor of the Senate. And apparently, to the Republican members on the other side, the Governor thought that this was a necessary piece of legislation because he didn't veto it, he...he used his amendatory veto on it, and at this point, I think we ought to accept his recommendations for change, and I so move.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall the Senate accept the specific recommendations of the Governor to Senate Bill 1070 in the form just stated by Senator Sangmeister. 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 23, none voting Present. The...the specific recommendations of the Governor as to Senate Bill 1070 having received the required constitutional majority of the...of the vote of the Senators elected is declared accepted. Senator Schuneman, for what purpose do you arise?

SENATOR SCHUNEMAN:

(Machine cutoff)...Mr. President. Request a verification.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman has requested verification. Will all members be in their seats. The Secretary will read the affirmative vote.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Egan, Geo-Karis, Hall, Holmberg, Johns, Jones, Jeremiah Joyce, Jerome Joyce, Lechowicz, Lemke, Luft, Marovitz, Netsch, Newhouse, Rupp, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman, do you...question the presence of any of the members?

SENATOR SCHUNEMAN:

Senator Chew.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew on the Floor? Senator Chew. Strike his name.

SENATOR SCHUNEMAN:

Senator Egan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan on the Floor? Senator Egan. Senator Egan on the Floor? Strike his name.

SENATOR SCHUNEMAN:

Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall. Senator Hall is on the Floor.

SENATOR SCHUNEMAN:

Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce is in the aisleway.

SENATOR SCHUNEMAN:

Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz on the Floor? Senator Marovitz. Strike his name.

SENATOR SCHUNEMAN:

Senator Bruce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce is in his seat. Senator Schuneman.

SENATOR SCHUNEMAN:

Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins on the Floor? Senator Collins...on the Floor. Senator Schuneman, do you question the...

SENATOR SCHUNEMAN:

No, that's all. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Chew is back on the Floor. Add his name. On that question, the Ayes are 31, the Nays are 23, none voting Present. The specific recommendations of the Governor as to Senate Bill 1070 having received the required majority...constitutional majority of the Senators elected is declared accepted. Senate Bill 1111, Senator Donahue. Mr. Secretary, read the message, please.

ACTING SECRETARY: (MR. FERNANDES)

I...I move to accept the specific recommendations of the Governor as to Senate Bill 1111 in manner and form as follows. Signed, Senator Donahue.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, 1104 was called yesterday and I asked it to be held until today. Where's 1104?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright, I'm told that you have a motion to override the specific recommendation for change...

SENATOR VADALABENE:

Okay. Alright.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. The...I would move that we accept the amendatory veto of the Governor. It does not change any substance of the bill. It simply adds to clarify the...it along with all the other tax check-off provisions. I would move that we would accept this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1111 in the manner and form just stated by Senator Donahue. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1111 having received the required constitutional majority of the Senators elected is declared accepted. Senate Bill 1116, Senator Marovitz. Senator Marovitz on the Floor? Senate Bill 1123, Senator Schaffer. Senator...Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I...I move to accept the specific recommendations of the Governor to Senate Bill 1123 in manner and form as follows. Signed, Senator Schaffer.

PRESIDING OFFICER: (SENATOR DEHUZIO)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, Senate Bill 1123 provided for the appropriation of the...and the creation of seven Block Grant fund accounts for the Federal Block Grants so that we can track the funding of that...through that mechanism. The Department of Public Aid and the Governor's Office were concerned that the implementation of at least part of that would negatively impact on their Title 20 Social Service Program, and they have some amendatory language which purports to solve that program while allowing us to continue to track those expenditures. That coupled with some guarantees that the figures would be readily available probably resolves what we were trying to do in the first place, which was to give the Legislature the information it needed to track Block Grant expenditures, and appears to be a...a

reasonable compromise.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1123 in the manner and form just stated by Senator Schaffer. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Senator Johns. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 59, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1123 having received the required constitutional majority of Senators elected are declared accepted. 1127, Senator Vadalabene. Mr. Secretary, read the message, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 1127 in manner and form as follows. Signed, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. The amendatory veto on Senate Bill 1127, the Illinois Coal Technology Development Assistance Act, is a product of negotiations with the Governor and his administration during the summer. It corrects the language felt to be unconstitutional in the administration of the Act. It tightens qualifications to discourage frivolous applications for assistance, and it cuts the amount of set aside from the public utility taxes in half for research and commercial development of Illinois coal from one thirty-seconds to one sixty-four, and lowers the cap on the amount of reserve in any month in the Coal Technology Development Assistance Fund from twenty million to five mil-

SB 1127
Done. P.L.C.

lion. And the motion also makes it clear the Act goes into effect immediately upon certification by the Governor in order to fund the Killengas project during this fiscal year with five million, which has the approval of the Governor, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1127 in the manner and form just stated by Senator Vadalabene. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1127 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 1218, Senator Degnan. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 1218 in manner and form as follows. Signed, Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President...Senate Bill 1218 has been changed by the Governor. He has changed the effective date to February 1st, 1984. He has also changed the monetary amount downward, the monetary amount available to the county clerks when they provide registered voters list. The Governor's justification is that two dollars may be too high a fee, and instead, the fee should be estimated to reimburse the actual cost only. I move we accept the specific recommendations for changes.

SB 1239
Present
Present

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1218 in the manner and form just stated by Senator Degnan. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. The specific recommendations of the Governor as to Senate Bill 1218 having received the required constitutional majority of Senators...vote of Senators elected are declared accepted. Senate Bill 1239, Senator Jeremiah Joyce. Mr. Secretary, read the message, please...motion.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to Senate Bill 1239 in manner and form as follows. Signed, Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce.

SENATOR JEREMIAH JOYCE:

Thank you, Mr. President and members of the Body. What the Governor has done with this amendatory veto is he has changed the...from "forceable felon" to "felon" with respect to possession of a firearm, and he has also changed the provision whereby the...a felon could obtain a firearm...permission to have a firearm after a review. I ask for its adoption.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1239 in the manner and form just stated by Senator Jeremiah Joyce. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who

*SB 1301
accept spec.
communications*

wish? Have all voted who wish? Have all voted who wish?
Have all voted who wish? Take the record. On that question,
the Ayes are 59, the Nays are none, none voting Present. The
specific recommendations of the Governor as to Senate Bill
1239 having received the required constitutional majority
vote of Senators elected are declared accepted. Senate Bill
1269, Senator DeAngelis. Mr. Secretary, read the motion,
please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the
Governor to Senate Bill 1269 in manner and form as follows.
Signed, Senator DeAngelis.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. The
Governor's Amendatory Veto simply changes the word "physi-
cally handicapped" to "handicapped" to include people in the
definition that normally would not be included. It still
requires a doctor's excuse, if you would call it, and basic-
ally leaves the rest of the bill pretty much intact. I move
for the acceptance of the amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question
is, shall the Senate accept the specific recommendations of
the Governor as to Senate Bill 1269 in the manner and form
just stated by Senator DeAngelis. Those in favor vote Aye.
Those opposed vote Nay. The voting is open. Have all voted
who wish? Have all voted who wish? Have all voted who wish?
Take the record. On that question, the Ayes are 58, the Nays
are none, none voting Present. The specific recommendations
of the Governor as to Senate Bill 1269 having received the
required constitutional majority vote of Senators elected are
declared accepted. Senate Bill 1301, Senator Rock...read the

bill...read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1301. I move to accept the specific recommendations of the Governor as to Senate Bill 1301 in the manner and form as follows. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the...Senate Bill 1301, as you will recall when we debated it earlier in the Session, provides for what we hope will be additional registration of voters State-wide, because it provides for and did provide for additional deputy registrars. The Governor, in his amendatory language, suggested and said very straightforwardly that, "I fully support the intent of Senate Bill 1301. Access to registration in the voting process stands at the very heart of our democratic system, and no obstacle to a voter's rights shall be tolerated." The Governor made three changes, and the three changes, frankly, I agree with, and so I am moving to accept the amendatory veto. We had provided for deputy registrars in places...additional places of registration in the Office of the Secretary of State and the Department of Public Aid. We mandated that. The Governor prefers to have that voluntary, and I can agree with that, depending on the workload of those two offices. Additionally, he called for civic organizations to have the opportunity to provide deputy registrars; and civic organizations under the amendatory veto would be those that are licensed by, if you will, or agreed to by the State by rule by the State Board of Elections. So, I fully concur with the Governor's Amendatory Veto. As you will recall, this law will not become effective until July 1 of next year, well after the primary, but I think it's something that for the General Election additional registration is absolutely essen-

tial, and so I would move that we accept the Governor's specific recommendations for change on Senate Bill 1301.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. It may be a...an idea well-meaning, but to let people register to vote without seeing them in person, by postcard...it to me is unbelievable. You...you waving the white flag already.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

You will have, I hope, next Session the opportunity to again address mail registration. That's not in this bill, separate bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate. What occurs to me is, the employees that we have in the Department of Public Aid and Unemployment Office and Secretary of State, they're supposed to be doing the...the people's business for their particular chores. Now, if we're going to permit registration at various State offices, I think we're taking away from their...their right and their duty to work for the public for which they were appointed or...wherever they were placed by...however they were placed. I think that we are casting a great overload, and it seems to me if anyone wants to vote, they can go to any township office, they can go to any library, they can go to any city office and they can vote, and...there are a lot of deputy registrars already appointed by the various county clerks, and I feel that it's a bad precedent to put offi-

ces...for voting...for registration, rather, in State...State offices like the Public Aid, Unemployment, Secretary of State.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Grotberg.

SENATOR GROTEBERG:

Senator Rock, I definitely remember in the twilight of the last spring Session how important this bill seemed to you, and I wonder, now that we've got everybody's attention, if you would take the trouble to...to go once more through what is in it and what is not in it. We know postcard registration is not in it. Then, once more for those of us who...is just now getting around to reading the message, tell us what the Governor did, and I'm sorry to ask you to repeat, but I think it's an important bill, and maybe you're the one to explain it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock, to be brief.

SENATOR ROCK:

You may not last long up there. Yes, thank you, Senator, I certainly will. I would apologize to the female population; we're going to provide for female registration too, not just male registration. All this bill addressed was the...all this bill addressed was the opportunity to provide two things; one, additional places of registration for the convenience of the public; and, two, additional deputy registrars for the convenience of the public to take registrations, hopefully, in those public places. Now, it does not seem at all untoward to me because, in fact, it worked before the last election that the office...the unemployment offices

of the Department of Labor, the Public Aid offices, the Secretary of State's Office, which receives a great deal of traffic from the general public, we mandated that they do that. The Governor said, well, don't mandate it. If they can reasonably accommodate the workload, they should do it as a public service, and that...so he made it voluntary. All it addresses in this legislation is the opportunity for bonafide civic organizations like the League of Women Voters, like the Kiwanis, like the Urban League, to provide deputy registrars and to provide additional public places of registration. It's not an attempt to undercut the township or the county or anybody else. It is to say to the general public, we encourage you to participate in the political process, and as you well know, you can't do that unless you register. Here are more places to register, here are more people who will help you register, all of which will be under the absolute jurisdiction of the local election authority. I can't, frankly, understand why anyone involved in public service or political life would be opposed to affording the opportunity to register those who ought to be registered.

PRESIDING OFFICER: (SENATOR DEMUZIO)

WEEK-TV, Peoria, requests permission to videotape this Session of the Senate. Is leave granted? Leave is granted. Senator Rock, would you want to start over?

SENATOR ROCK:

Can I start over again? Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Philip.

SENATOR PHILIP:

...I'm assuming there's a fee for every person regis-

tered, is that not correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

No, that is not correct. I...why does it cost anything to register?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

Because if I remember correctly, a precinct registrar...if you register people in your precinct as a precinct registrar, I think you get twenty-five or fifty cents per person you register. Now, my other question is...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Senator Rock, for what purpose do you arise?

SENATOR ROCK:

Just a point of order. The...the gentleman is again mixing up a different bill. Senator Nedza had a bill that would provide effectively for bounty hunting of unregistered voters. That is not involved in this bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

Well, I...I'll tell you, I'm trying to figure out what the hell this bill does. Now, you're allowing who to register people to vote? What are the qualifications?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

A duly elected or appointed official of a bonafide State civic organization, like the League of Women voters...it doesn't say that...as defined by rule of the State Board of Election or a reasonable number of qualified members designated by such official who may accept the registration of any

qualified resident of the county, or...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion...Senator Rock.

SENATOR ROCK:

...now wait a minute,...or the employees designated by the director of the Department of Public Aid, or the employees designated by the Secretary of State and located in one of his facilities, or the employees of the director of the Illinois Department of Labor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Philip.

SENATOR PHILIP:

I...I...I...I...I guess I understand it. You're going to allow State employees at any level to register people to vote, is that correct?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock...whoop, Senator Philip.

SENATOR PHILIP:

...on...on...on...on taxpayers' time?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Those designated by the directors and the Secretary of State...the directors of those two departments and the Secretary of State, if they wish to participate. We don't mandate they participate, this is voluntary. But I can't...I...I should think...we hear all these grandiose public service announcements from the Secretary of State, what better public service than to register people to vote so they can participate in the process?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

You know, if I remember correctly, the City of Chicago

before every election...or Cook County anyway, has a county-wide voter registration day where they open up each precinct and they register people in each precinct to vote, if I remember correctly. We don't do that downstate, to...to my knowledge. But now you're...you're telling me that every governmental State office...how about county and township office, and we are allowing the State Board of Election to decide what organizations are going to be able to register people to vote. How about the Ku Klux Klan, will they be able to register people to vote?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

...you are attempting, I think, to find some sinister motivation in the opportunity to...allow people to register to vote. It says a duly elected or appointed official of a bonafide State civic organization. Now, if you consider the Ku Klux Klan a bonafide State civic organization, that's your business; I sure don't.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

How about the Sons of Italy...no...okay.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I'm going to express my opposition up front. You know, the...there's an old adage that says, when you get advice for nothing, it's worth that much. When you get a privilege that's brought to you personally, rather than you seeking it, it's probably worth that much also. But the part that bothers me from a substantive standpoint, in reading the language, it says that these designees of the so-called duly

appointed...officials may accept...may accept the registration. So, somebody sitting at the drivers license station can...reading this veto message...can choose to register whoever that person chooses. Now, I can see some advantages of telling somebody, I'm sorry you flunked your driver's license...test, but we're going to give you a chance to register to vote. But under this message it doesn't say that they have to, it just simply says, you may. And I don't know that I want to entrust people in some of these offices to turn around and selectively determine who they're going to register and, most unfortunately, selectively determine who they're not going to register.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator...Senator DeAngelis.

SENATOR DeANGELIS:

If I might, Mr. President, I'd like to have Senator Rock address himself to that so-called selective process.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock indicates he will yield. Senator Rock.

SENATOR ROCK:

Thank you. I think...I, frankly, stand before you well able and willing to trust the Secretary of State, the director of the Department of Public Aid and the director of the Department of Labor. I am prepared to trust them. Because what this says is,...and I think you're reading the "may," frankly, incorrectly. What this says is...what the Governor's Amendatory Veto says, "In an attempt to further the cause of full voter participation, Senate Bill 1301 would permit temporary registrars to set up voter registration sites in public offices, such as unemployment offices, drivers license facilities and Public Aid offices." So, what...what the Governor is saying is that the Office of the Secretary of State may choose not to participate in this pro-

gram, but if they choose to participate, they set up a voter registration site in the facility and the Secretary of State designates employees to effect voter registrations at that site for, obviously, a limited amount of time. It's a...he makes it voluntary. I had mandated it...when the bill passed originally it was mandated. Now, it's totally voluntary.

END OF REEL

REEL #2

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Well, Senator Rock, I'm reading the same thing you are and I have a different interpretation of it. It says, the director, Secretary of State, director...or a reasonable number of employees designated by the Secretary of State...and it says the same thing for the Department of Labor and the other organizations...and located at a driver's license exam stations who may accept the registration. Now, I would trust Jim Edgar to do it, yes, but I don't think he can be at every one of these places, and I'd probably trust the other directors, but it says, "who may accept the registration of any qualified resident at the county, at such a driver's license exam station."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

And...and that, my friend, is exactly the point. I said in the original bill, "who shall accept," that they had to do it. If you read the Governor's Message again, it says, "to meet the new demands of voter registration, the directors of agencies involved in the registration process should decide on the basis of individual office capacity, employee workload and other relevant administrative factors whether to designate an office for temporary registration at all, whether to use employees already situated in the working place or whether to request the county clerk to designate temporary registrars from outside the agency." The whole point is that the Secretary of State and these other offices, Public Aid, Labor, have the opportunity, given...that they can handle

their other work and there's enough space and all the reasonable accommodations, to opt into the program, that's all it says. They don't have to do it, they can opt in. And in addition, the Governor said we forgot about...there was no provision for the use of civic organizations, and he said, what about the League of Women Voters and the Kiwanis and the Urban League and the Sons of Italy and all those who want to perform a public service? So, he says, put them in. So, we did...he did, and I agree, I accept it.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright. Further...further discussion? Senator DeAngelis.

SENATOR DeANGELIS:

Just one last quick question. Can either one of the directors determine what offices would register people and which ones would not?

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Senator Rock.

SENATOR ROCK:

Yes.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Well, I think the Governor has been very, very kind in his amendatory veto, and I think that probably I would have to say that I commend Senator Rock and the Governor for their partnership in this particular bill. But as one who is a member of this General Assembly and one who constantly gets complaints from both the Departments of Public Aid and the driver's registration areas that they are overcrowded, that they can't do the job well, that they're discourteous to the people that they're serving, I simply can't imagine this as an...these places as appropriate places to register people to vote. I...I just...I...I think we have written into the cur-

rent law organized and regulated voter registration, and I am...I am simply still opposed to this particular piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

One of the concerns that's probably unvoiced is the selective nature of the registration. That is, you know, if Person X comes in can register and Person Y is standing behind them in line cannot register. However, just so you don't think that all the concern is confined to this side of the aisle, I say, so what, give it a chance. I see nothing deep, dark and sinister in this, and as a matter of fact, I would commend the League of Women Voters for what they do best or what...sticking to their original charter which is to improve access to the electoral process and to attempt at any rate to elevate the level of public discourse. I say, fine. The Governor has made some changes, let's give it a chance, and if it is being misused or abused by anyone, we can come back and try and correct those flaws. But I...I see no deep, dark, sinister plot here. Let's give it a whirl.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock may close.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I haven't heard anybody say that they're against voter registration. What they've said, apparently, is that the Secretary of State and the Department of Public Aid and the Department of Labor somehow can't do the work they're supposed to be doing now, so how in the world are they going to get involved in this. That doesn't wash. This is to promote the cause of full voter participation by permitting temporary registrars and new voter registration sites to supplement the existing election authorities...wholly under

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Spec. Res. of the
Assembly*

their jurisdiction. The Governor said, and I will repeat because I agree with him, "I fully support the intent of Senate Bill 1301. Access to registration and the voting process stands at the very heart of our democratic system, and no obstacle," I repeat, "no obstacle to a voter's rights shall be tolerated." I urge acceptance of the specific recommendations for change as pronounced by the Governor on Senate Bill 1301.

PRESIDING OFFICER: (SENATOR DEBUZIO)

The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1301 in the manner and form just stated by Senator Rock. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 46, the Nays are 11, none voting Present. The specific recommendations of the Governor as to Senate Bill 1301 having received the required constitutional majority vote of Senators elected are declared accepted. Senate Bill 1307, Senator Degnan. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I...I move to accept the specific recommendations of the Governor as to Senate Bill 1307 in manner and form as follows. Signed, Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 1307 made numerous changes to the Election Code. The Governor has made two changes to those. He removed the section that may have eliminated the local taxing body's ability to hold emergency referendums. He also has eliminated definition of labor organizations since that is already covered in the rules and

regulations of the State Board of Election. Absent any questions, I would move that we accept the Governor's recommendations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1307 in the manner and form just stated by Senator Degnan. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are 1, none voting Present. The specific recommendations of the Governor as to Senate Bill 1307 having received the required constitutional majority vote of Senators elected are declared accepted. Motions in writing, top of page 25, override specific recommendations, Senate Bill 133, Senator Dawson. Senate Bill 501, Senator Rock. Mr. Secretary, read the...read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 501 do pass, the specific recommendation of the Governor to the contrary notwithstanding. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This is a specific recommendation for change that was promulgated by the Office of the Governor, and, frankly, I think he made a mistake. This bill, as originally introduced, took the cap off...the hundred and fifty thousand dollar cap off of the opportunity to have independent administration of estates; that is, probate an estate without going through the whole probate process with the obvious intent that the estate would be settled more quickly and less

costly. The Governor in his zeal, I think at the moment, said that you could only do it in excess of a hundred and fifty thousand with the prior consent of all interested parties. Now you and I both know that interested parties includes creditors, and so if a creditor has a claim, he's probably not going to be in a position to consent readily until his claim is paid. Independent administration of estates works currently in the situation where the estate is less than a hundred and fifty thousand dollars, and it is totally under the court's jurisdiction and supervision so that any interested party is able to go into court and say, hold it, we have to have a full proceeding because I am not getting my just due. Now the Governor has just exactly turned that around in 501 in the specific recommendations for change and, frankly, I think he made a mistake, and so I'm asking to override. If the...the procedure ought to be the same irrespective of the dollar amount and that's really what we're trying to do. We can't have two separate procedures. I would urge an Aye vote on the motion to override this specific recommendation for change.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there any discussion? Is there any discussion? The question is, shall Senate Bill 501, pass the specific recommendations of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 57, the Nays are none, none voting Present. Senate Bill 501 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Senate Bill 619, Senator Kustra. Senator...Senate Bill 824, Senator Degnan. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 824 do pass, the specific recommendation of the Governor to the contrary notwithstanding. Signed, Senator Degnan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Degnan.

SENATOR DEGNAN:

Thank you, Mr. President. Senate Bill 824 dealt with several things and the Governor had no problem with most of them. He did, however, have a problem with the raising from five to ten percent the number of legal voters in a district required to put a referendum for a levy reductions on the ballot. We passed this out 48 to 6 in our Spring Session. I believe this is consistent with other legal signature requirements for other types of referendum. Absent any questions, I would urge its passage.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall Senate Bill 824 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 52, the Nays are 3, none voting Present. Senate Bill 824 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Senate Bill 849, Senator Bruce. Senate Bill 919, Senator Zito. Senate Bill 942, Senator Earkhausen. Senate Bill 1001, Senator Collins. Mr. Secretary, read the motion, please. Senate Bill 1001, middle of page 25, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 1001 do pass, the specific recommendation of the Governor to the contrary notwithstanding. Signed, Senator Collins.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President...President and members of the Senate. Senate Bill 1001 is one of the bills included in the Prairie State Two Thousand package. The Governor's amendatorily veto simply codified the existent Executive Order under which the council functions today. It was the intent of this legislation to give the General Assembly some input into the process of appropriating the Federal funds coming in for the...under the new Job Training and Partnership Act. I personally felt along with those who voted for the bill that we should have some input into that process and, therefore, I move that we...that Senate Bill 1001 be passed, notwithstanding the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I would rise in support of Senator Collins' position. I would mention the bill passed 54 to nothing last time. It was not that controversial bill. The only real issue is, should the Legislature have some input in who's on these basically advisory councils. Under Senator Collins' bill we have some, not a lot, but we have some input as compared to having absolutely none. I don't think it's unreasonable since we appropriate the funds that we at least have some input, so I would support her.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? The question is, shall Senate Bill 1001 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record.

On that question, the Ayes are 57, the Nays are 1, none voting Present. Senate Bill 1001 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Page 19, motions in writing, total...all right, I have a different...I must have an old Calendar. Senate bill...I'm sorry, page 25, Senate Bill 1104 on the Order of Override for the Specific Recommendations, Senator Vadalabene wishes his bill called. Mr. Secretary, please read the motion.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 1104 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Signed, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. I believe the letter from the Governor, which is brief, that I will read will be in support of this override. This letter is dated October 19, 1983. "Dear Senator Vadalabene. As you are aware, I returned Senate Bill 1104 to the Senate with my recommendation for change. It was my intent to retain the statutory provision which excepted school buses from stopping at railroad grade crossings upon four-lane highways where the posts...posted speed limit is in excess of forty-five miles per hour. Such stops increase the potential for collisions and endanger the lives of the school children being transported. Unfortunately, a drafting error would exempt commercial motor vehicles as well as school buses and such an exception would conflict with requirements in the Federal Bureau of Motor Carrier Regulations. So, for the foregoing reasons, I concur in an override of my specific recommendation for change in Senate Bill 1104."

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall Senate Bill 1104 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1104 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Now, page 19, motions in writing, total...total vetoes. Senate Bill 3, Senator Joyce. Senate Bill 10, Senator Grotberg. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 10 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Grotberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg.

SENATOR GROTERBERG:

Thank you, Mr. President and fellow members. This simple little bill has been around for sometime, and based on this misinformation, the Governor vetoed the bill. The Governor and I have talked, and the second floor is neutral on what I do at this point. My point being the studded snow tire concept by...order by letter of April 18th from the Department of Transportation Federal Highway Administrator, Mr. Barnhardt, states fully and explicitly that this policy of whether a State does or does not have studded tires is not tied to the State's eligibility to receive Federal highway funds. Senator Chew and I worked out this amendment, the department helped write it, in fact, and it is now restricted only to those living on rural addresses from November until...April 15th, I believe, and it's for the handicapped,

and my case arose...by now you all know it as well as I do, from a paraplegic driver who got...almost froze to death in one of the several blizzards of the last year or two, and when you're on a country road, township or county, and live on those with a rural address, we've got it down to probably a hundred and some people in Illinois that would ever qualify or seek such usage of studded snow tires; and again, I have checked on the other side of the aisle with Senator Chew but he is not here. I would urge our members to all vote for the override and let's send it over to the House and get it on the books.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question, is shall Senate Bill 10 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 54, the Nays are none, none voting Present. Senate Bill 10 having received the required three-fifths vote is declared passed, the veto of...of the Governor to the contrary notwithstanding. Senate Bill 54, Senator Lemke. Senator Lemke, for what purpose do you arise?

SENATOR LEMKE:

...get to 54, I...there's a motion filed on Senate Bill 49. I'd like to Table that bill. There's been a bill...a House bill...almost identically, House Bill 1394, and I think it's best to Table this bill...covers the same subject matter.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, why don't you just withdraw your motion, Senator?

SENATOR LEMKE:

I want to Table the bill.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

Withdraw the motion.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke seeks leave of the Body to withdraw the motion on Senate Bill 49. Is leave granted? Leave is granted. Motion is...withdrawn. Senator Bill 54, Senator Lemke, are you ready to proceed on that? Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 54 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke. Senator Lemke, before you get started, the State-Journal Register has requested leave of the Body to take still pictures. Is leave granted? Leave is granted. Senator Lemke on Senate Bill 54.

SENATOR LEMKE:

What this bill does is amends the Uniform Criminal Extradition Act, and provides that if the county incurs expenses in the return of fugitives to this State from another State, the country, they shall be reinforced for such expenses out of the State Treasury. What we have is problems where we passed a bill and all we do is allows for the attorney's fees. What this bill does is allow also for the greater expense which is bringing back such a person as a murderer in Uganda or something like that, bringing them back to justice and making sure that people cannot escape the laws of the State of Illinois or any other government. I ask for its...ask for the bill to override the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall Senate Bill 54 pass, the veto of the Governor to

the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 21, none voting Present. Senate Bill 54 having failed to receive the required three-fifths vote...the motion having failed to receive the required three-fifths vote is declared lost. Senate Bill 57, Senator Lenke. Senator Lenke requests leave of the Body to...Senator Lenke, for purpose do you arise?

SENATOR LENKE:

I'd like to have this motion withdrawn. It's covered in House Bill 108, therefore, it's not necessary to override the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, Senator...Senator Lenke seeks leave of the Body to withdraw the motion on Senate Bill 57. Is leave granted? Leave is granted and the motion is withdrawn. Senate Bill 84, Senator Luft. Senate Bill 85, Senator Geo-Karis. 139, Senator Zito. Senate Bill 186, Senator Buzbee. Senate Bill 230, Senator Savickas. Mr. Secretary, read the motion, please. Bottom of page 19, Senate Bill 230, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 230 do pass, the veto of the Governor to the contrary notwithstanding.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, Senate Bill 230 was a bill that created a Senior Citizens Commission. This legislation was asked for by the Illinois State Council of Senior Citizens Organizations which has over three hundred affiliate groups within the State of Illinois, and the reason

that the...these groups feel that this legislation is necessary is because the Department on Aging has been entrusted with administrating Federal and local cuts in senior citizens' programs State-wide. The Department of Administration, and its staff, have clear mandates set forth by the Federal Government to uphold these cuts and to expand these cuts as they see fit. The three hundred groups represented by the Council of Senior Citizens Organizatons, and I distributed a copy to each of you on the desks, has come together in support of this commission as it would allow for the introduction and implementation of legislation that is needed to provide the elderly with services in order that they may meet the standard of living as set forth in the Older Americans Act of 1965. Department of Aging is responsible for the implementation and maintenance of the services required by the Older Americans Act. Is it that department's function to follow the Federal Government's guidelines. Any new programs that are...crop up are often offered by private for-profit corporations which I think cause a greater need of State, Federal and local funds for seniors using their services; and to my knowledge, the Department on Aging has not introduced any recent legislation that would add services for the hundreds of elderly in our State who are in need of food, shelter and...medical care. I would suggest that this is not in competition with the Department of Aging. It's a commission that would address the needs of our senior citizens and bring all of these groups together to have a sound voice in our Legislature as a commission. I would ask your support in the override of the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall Senate Bill 230 pass, the veto of...of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted

who wish? Have all voted who wish? Senator Savickas, you might want to push your other light. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 21, none voting Present. The motion on Senate Bill 230 having failed to receive the required three-fifths vote is lost. Senate Bill 319, Senator Schuneman. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 319 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Schuneman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Senate Bill 319 is the one that would require the proceeds of the State Lottery to be deposited in the Common School Fund. In his Veto Message, the Governor cites two reasons for the veto. First of all, he says that doing this would create some cash flow problems in the General Revenue Fund; and secondly, it would reduce the flexibility of the administration in managing the State budget. While I recognize that there may be some nuisance value to this bill to the Chief Administrator of this State, I still believe that the basic reason for introducing the bill is valid, and that is that it's an attempt to keep faith with the people of the State of Illinois who were led to believe that if we establish the State Lottery that that money would go for the schools in the State rather than be deposited in the General Revenue Fund. This Legislature agreed with that concept in that the Senate approved the bill on a vote of 54 to 1, it passed the House 103 to 7, and I would, therefore, move that we override the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall Senate Bill 319 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, none voting Present. Senate Bill 319 having received the required three-fifths vote is declared passed, the veto...of the Governor to the contrary notwithstanding. Senate Bill 416, Senator Hall. On the top of page 20, Senate Bill 416. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 416 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Hall.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 416 deals with a compact between the State of Missouri and the State of Illinois. In order for this to be effective it must be identical legislation passed by both states, signed by both Governors and approved by Congress. The Governor vetoed Senate Bill 416 and then made three changes in the bill, and then put the bill into Senate Bill 536. By this action, the Governor has treated the transit workers and the St. Louis-East St. Louis different from all other public transit employees in Illinois. With the amendatory veto there is a provision on the rights for all downstate in that area for collective bargaining, yet all public transit workers in Illinois have the right for this under Senate Bill 536. Despite this precedent of binding arbitration which has been in the RTA and CTA Act since 1973,

the amendatory veto used on Senate Bill 416 provides for a review by an arbitrator award by a review committee which is totally unworkable and impacts on...and for the Illinois Department of Transportation, the secretary and chairman of Bi-State and virtually agreed...and a person mutually agreed upon by the county executive of St. Louis County and the Mayor of St. Louis. This legislation has no fiscal impact on the people of the State of Illinois. I'd like to repeat this. This does not cost one dime to the taxpayers of Illinois. Contracts were negotiated and...by the unions and with Bi-State, and is binding, and it will run through 1985. History shows that in the last ten years that they have been workable agreements. Now what we need is this, this legislation merely puts into the Statute the past practice of labor relation which has existed in this area. Senate Bill 416 is currently being considered in Missouri where identical legislation must be passed. The legislation was reported...may I have a little order, Mr...Mr...the legislation was reported...

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Will the Senate come to order, please.

SENATOR HALL:

...the legislation was reported out of the Senate and the House Committee. The House and Senate Floors have yet to finally act on this in the State of Missouri. It will be considered in their Special Session which is going on right now. Fourth, the Governor use of the amendatory veto in the case of Senate Bill 416 is unjustified, and I'll tell you why. To veto a bill then rewrite three sections and then insert the rewritten bill into a completely different bill is not the proper way to deal with legislation. The Governor actions seriously tampers with the legislative process. The employees of the State of Illinois, Bi-State, deserve to be treated fairly and an override of the Governor's veto will

show fairness. They should not be treated differently from other transit workers in Illinois. I would ask your most favorable support that we...to override, the Governor's veto notwithstanding, on Senate Bill 416.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Keats.

SENATOR KEATS:

I thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in...opposition of the bill. Basically, for you to...to think about it, I appreciate what the Senator said that it won't cost us anything. It won't cost us anything this year, but I think there is some question in terms of long-term costs over prolonged period of time, and remembering that Bi-State is a compact between Illinois and Missouri, and anything we do that makes it more difficult to administer that in the long-run is going to cost some money, number one. Number two, remember the bill only got thirty-one votes last time, so it's not as if this was really one of the big issues of the day that was overwhelmingly supported. What I ask each of you to do is say the bill was put in another bill...just between us, I'm not in favor of the bill it was put on either, but the bill was put on another bill. It cannot become law unless Missouri comes up with a duplicate bill. Missouri really doesn't want us to do this, because what it does it puts pressure on them to pass the bill that they're not excited about. I don't think Missouri would do that, but they don't need the pressure of having this put on them. Both sides are attempting to pressure their Legislature by saying, you know, got to be done, tied into the other State, it's a necessity. Hey, it ain't no necessity. This compact has been going for ages. It gets a lot of Federal funds. It gets a lot of assistance. All this does is compliment...or complicate a process that I don't think needs complicating, and I would say, please, remember

it only got thirty-one votes when it passed last time. I would ask some of you who showed wisdom and strength...restraint last time to show wisdom and restraint again. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr...Mr. President and members of the Senate. I rise in favor of Senator Hall's motion, contrary to the remarks of the Minority Leader on the Labor Committee. I agree wholeheartedly with Senator Hall that there was no need to put 416 in 536, and he is right, the bill in 536 is no longer in conformity with the bill that is pending in the Missouri Legislature, and for that reason, the amendatorily veto of this bill as written by the Governor would not have any effect at all. In other words, the law will not pass because it is out of conformity. The only reason that I can think of that he put the bill in 536 is that after he used the pen, he needed some bulk to make the bill comprehensive. Other than that, it has no meaning at all, and I think that we should override the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Johns. Can we break up the conference around Senator Johns. Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. Senator Keats, I address this to you, sir. In speaking on the bill just prior to Senator Collins, can we assume that you have talked to the Missouri legislators or people connected with the bill over there? You gave the assumption that you knew what their intentions were about this bill. Did you or did you not contact them?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Well, Senator Keats.

SENATOR KEATS:

In answer to your question, I have not personally, one of my staff members...and for a moment you're taxing my memory which is the only thing that isn't...hasn't been taxed recently, but you're taxing my memory. One of our staff guys, if my memory...talked to either the committee chairman who if...you may remember, I got in trouble for saying that this bill kind of "vacuumed." This was the bill of which our staff guy talked to their...and if my memory...said she talked to the chairman of the committee that had killed the bill originally, that is my memory but it is several months ago, and I...I think that's what happened.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, can we have some order, please. Senator Johns.

SENATOR JOHNS:

Thank you, again, Mr. President. I just rise in support of Senate Bill 416, because this bill must be passed in its entirety, as it was, so that Missouri can compare it identically and vote on the same piece of legislation. If we change it, they've got to change theirs. The legislation is pending before them and that's why I think that we should not tamper with this particular piece of legislation but vote it out as Senator Hall wishes so that Missouri and the Bi-State development...I mean, transportation agency can compare them as one and build a cooperative effort in supplying transportation needs for that region. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Hall may close. Senator Hall.

SENATOR HALL:

Thank you, Mr. President. I just want to cite two things here for you. Number one, all we're asking is fairness. Now, if other transportation workers have this in the State of Illinois, it would not be fair to treat a certain portion of

this State differently from others. Another thing I want to cite to you, and when I say it doesn't cost any money, it doesn't because there's not going to be a contract time up for 1985. Also, in the ten years that this has been in effect, there's only been one arbitration, and the arbitration was in favor of management. We need this legislation to carry on transportation in the Bi-State area. That's all it is. All I'm asking is simple fairness. This is what...and I would ask that we do have favorable support and your vote for this...to override the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

All right, the question is, shall Senate Bill 416 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The...the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 17, 1 voting Present. The motion on Senate Bill 416 having failed to receive the required three-fifths vote is declared lost. Senate Bill 511, Senator Darrow. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 511 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Darrow.

PRESIDING OFFICER: (SENATOR DEBUZZIO)

Senator Darrow.

SENATOR DARROW:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, Senate Bill 511 amends the School Code to provide that a teacher elected to serve as a member of the county board shall be granted a leave of absence to attend the regular meetings of the county board. There's also a provi-

sion added to this legislation which would provide that if a local...teacher is elected as president of a State-wide teachers' organization, the IEA or the Illinois Federation of Teachers, a leave of absence of up to four years would be granted to the teacher. The Governor vetoed this legislation indicating that it may be a increase in costs...personnel costs; however, I'm not sure he understood that the amount of money that the teacher would receive as a member of the county board when he had to take time...he or she had to take time off for school would be...contributed back to the school district, or the school district would not have to pay him for that compensation. I'd move that we override the Governor's veto of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall Senate Bill 511 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 37, the Nays are 20, none voting Present. Senate Bill 511 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Maitland, for what purpose do you arise? All right, Senator Maitland has requested a verification of the affirmative roll. Mr. Secretary, would you please read the roll of the affirmative...the...the members that voted in the affirmative.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Darrow, Davidson, Dawson, Degnan, Demuzio, Egan, Hall, Holmberg, Johns, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Kustra, Lechowicz, Lemke, Luft, Mahar, Marovitz, Nedza, Netsch, Newhouse,

Sangmeister, Savickas, Schaffer, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Maitland, do you question the presence of any of the members? Senator Maitland.

SENATOR MAITLAND:

Senator Egan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan on the Floor? Senator Egan is right in the middle aisle.

SENATOR MAITLAND:

Senator Johns.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Johns on the Floor? Senator Johns on the Floor? Senator Johns is on the Floor. Senator Maitland, do you request the presence of any other member?

SENATOR MAITLAND:

Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson. Senator Dawson on the Floor? Senator Dawson is on the Floor.

SENATOR MAITLAND:

Senator Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce on the Floor? Senator Jeremiah Joyce on the Floor? Strike his name.

SENATOR MAITLAND:

Senator Kustra.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Kustra on the Floor? Senator Kustra? Senator Kustra on the Floor? Strike his name. All right, on that question, the Ayes are 35, the Nays are 20, none voting Present. Senate Bill 511 having failed to receive the required three-fifths vote is declared lost...Senator Darrow

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requests postponed consideration. Postponed consideration. Senate Bill 520, Senator Lemke. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 520 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

In vetoing Senate Bill 520, the Governor simply claimed that it did not cure all the alleged unconstitutional defects in the Illinois Abortion Law of 1975 without specifying which defects it failed to cure. In fact, Senate Bill 520 was written to conform Illinois abortion laws to the Supreme Court's recent decisions of Akron Reproduction Health Services versus the City of Akron, and Planned Parenthood versus Ashcroft, and Simopolous versus Commonwealth of Virginia. I think it should be explained that some of the allegations that we have received in...in opposition to this bill, I think I should explain in answer to them, and if you will bear with me, I will give you those answers. First allegation is in regards to the definition of of "born alive," "live born" and "live birth," that this is unconstitutional because it...fails to provide that a physician must care for a nonviable fetus that is born alive. But at this point we are not talking about a fetus, we are talking about a live born infant; we are talking about a child. All these changes would do...would do would require that the physician take all the steps that he would take to preserve the life of a child born alive as the result of an abortion, that he...he would have to take...with regard to any child who was born alive in a normal childbirth. And the second allegation is, that it interferes with a woman's right to

abortion because Section 6(7) of the bill bans...abortions performed because of sex of the unborn child. This is ridiculous because we know that almost all abortions performed for the reason because of unborn child, in this State, is a female. The State has an interest after viability preserving the life of the unborn. Before viability, the State has an interest in preserving the balance of the nature and the population between the sexes. We...we're asserting both of these interests here. Section 6.7 is supported by the State's interest in population balance before the time of viability and the State's interest in life for the unborn child after the time of viability. Senate Bill 520 makes this clear. The third objection makes...in regards to the statistics in regards to making abortion seem unsafe. Reading Section 10 of this bill you will see that it does not...no such thing. All it does is require that all information of maternal death, whether from abortion or childbirth, be reported to the State, and that the relative...related rates of mortality be reported to the General Assembly in a logical and statistical sound fashion. I think this is a good bill, and I ask for its...adoption. I'm not going to go through the constitutionality of what we talked about section by section, as we did that in passing the bill, but I ask for your favorable vote in overriding the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

All right, is there any discussion? Senator Keats.

SENATOR KEATS:

Thank you, Mr. President. I would just ask that everyone take a look at the "Dear Colleague" letter I'd sent around on this bill 520 and 521. We spend all of our time arguing constitutionality on these bills, and as Senator Lemke said, man, we've gone through this more than once on constitutionality, but there is a question that because of the veto,

even if it's overridden, we could pass another bill next year that would make it in time; and so if there's some question of the bill, and Senator Lemke doesn't think so, and I...but I happen to and so there's just an honest difference of opinion, it's called, you know, when you have two lawyers, you have three opinions, but you have only one lawyer in this case, so I'm...I guess I don't have an opinion. On the constitutional side, I just want to say that a lot of lawyers have fought this one in court. The Supreme Court has enjoined what appeared to be portions of this bill, so why don't we rewrite it next year. The Supreme Court decision, as all of you remember, is a matter of couple weeks, and in some case a couple a months ago. Why don't just rewrite the thing next year. You know the way these kind of bills fly out of here, they do tend to pass. Why don't we at least wait till next year so you don't have another constitutional court fight, because I think all...you know, the...the court costs on these bills are not minimal. Man, we put hundreds of thousands of dollars into these court fights, and I suppose if I were an attorney I wouldn't complain about that, I'd say, good, let's fight some more about it. What I'm just trying to say is, as the guardians of the taxpayers' funds,...there are clearly some question, why don't we wait till next year. Even if we pass the bill next June, it would take effect the same time this bill would if it's overridden; and you know with the kind of votes that these kind of bills get, the bill would pass next year only it probably would be more clarified, and I would appreciate you doing it that way. Thank you.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President, I'm not going to make an impassioned speech on the subject of abortion or choice.

Everyone has his or her own position on that, and while mine may be different from that of many others in the Chamber, I at least respect your right to have a different point of view. What I am talking about now though is a question of...really the integrity of the legislative process. I wish it were possible for everyone to see what I am holding in my hands. One is a copy of the Illinois Abortion Act which shows all of the provisions with red marks through them, X's through them, which have already been invalidated and are under injunction at the present time by the courts, Federal or State. The other is a copy of Senate Bill 520 enrolled in which we have done the same thing. Every section which is clearly to be enjoined as soon as this bill becomes law, if, in fact, it does, has been marked accordingly. And this is not speculation; this is fact. These are provisions which have already been invalidated in the Statutes of this or other states. At some point we have got to stop playing games with what is a highly emotional, very tense issue for a great many people. For this Legislature, year after year after Session after Session, to enact laws which it must know are going to be invalidated by the courts, to cost the money, yes, in the litigation, that certainly is a factor, but basically to make a mockery of that legislative process, I think, does no honor to us and does no honor to the cause of those who are genuinely anti-abortion. And, again, I respect their right to have that point of view, but we cannot keep doing this year after year, passing laws which...I think, there are three sections left in the Illinois law that have not been invalidated. Again, Ladies and Gentlemen, I beseech you, at some point we have got to show more respect for the integrity of the process of which we are a part.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. Again, very briefly, this legislation is very, very comprehensive in its scope and is very complex also. It was passed, if I remember correctly, at the last minute of our Session last spring without great discussion and without really taking a look at each and every paragraph of the legislation. We've now had a chance to view Judge Kocoras' decision in the Carey case, and because of the comprehensive nature and the complexity of this legislation, I really echo what Senator Netsch said. I think it's time that we, as a Legislature, regardless of your feeling whether your pro-choice or pro-life, realize that this legislation is, in fact, unconstitutional and is, in fact, unenforceable, and all it's going to do is cost a lot of money; and to...to waste, and that's really what it is, to waste our time, money and effort on this legislation when we have a lot more important things to do that we know are not, in fact, unenforceable and unconstitutional, I just think...makes a...makes a farce out of the process. Regardless of what your stance is, pro-choice or pro-life, everybody is entitled to that, and I certainly want to...wouldn't want to...dare to get anybody's opinion on that, but let's...let's face it, we've just had a...an opinion from the Federal Court about Illinois' abortion law and this flies right in the face of that recent opinion. I think we ought to take a look at our responsibilities as legislators, and I would vote this down.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator...Senator Lenke may close.

SENATOR LEMKE:

Well, I don't know where Senator Marovitz was last Session, and I don't know where Netsch was last Session, but I put out the amendments, I put out the law on this...on the constitutionality of this. It was laying on the desks

for...for a few days, everybody got a copy of that, I asked you all to read it, and I told you I was going to call that Conference Committee when you read that material. All that was read in the record. We made...if you recall, we spent almost a half hour putting the justification and the constitutionality of this particular bill into the record. I have done...I have again done that. Senator Jeremiah Joyce asked questions, Bob Egan asked questions, and we answered those questions in regards to that legal opinion as to the constitutionality of a bill. Had this bill not be vetoed by the Governor, ninety percent of what Judge Kocoras struck down would have been upheld had this bill been signed by the Governor, and we would have a viable and valid abortion law in this State. Right now we don't. Now we have gone through this and talked about waiting, and we talked about money, money, money, money. Well, Senator Marovitz, Senator Netsch, I had a grandson born four months premature, and I'm telling you, it's breaking me, but I'm paying the money to keep him around because I enjoy him, and when you have somebody that's born premature, it's some butcher wants to butcher that kid up and didn't even love it when it's born alive...after they abort it and it's born alive and they don't want it, and they want to butcher it and stab a knife through their heart and call that still a fetus when it's actually a child, then that person should be persecuted just like we persecuted the Ikeman's and everybody else, because they have murdered a human being, and that child is just as much entitled to the U. S. Constitution and the Constitution of this State to be protected by all means; and I say to the AUL, where are you when we're talking about passing a law to protect born children with disabilities? You said you would come forward. Yet you have not. You have chosen to take a neutral position and not contribute to protect the life of spina bifida children and everybody else. We are not here to justify in money

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what a life is worth. We are here to protect that life no matter what that life may be and...what age that life may be, what religion that child may be, what race that child may be or what nationality or creed. That's what this country is about, and we have gone through this bill, and for you to sit here and say this bill was not discussed, then you, as legislators, did not read the information that was given to you; you did not listen to the conversation and you did not read the official legislation that we...the official record in this Senate. I'm telling you right now, in my opinion and the opinion of constitutional experts that stem throughout the country, this bill as it is written is constitutional and those provisions in the Illinois Act had been stricken out have been deleted by this bill. I ask for an override of this veto.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 520 pass, the veto of the Governor to the contrary notwithstanding. 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 44, the Nays are 13, none voting Present. Senate Bill 520 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senate Bill 521...Senate Bill 521, are...is there a motion filed, Mr. Secretary, please?

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 521 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke is recognized.

SENATOR LENKE:

I ask for a favorable adoption to this bill. This is

another bill that is very important, not to the protection of women's rights, not to the protection of anybody's rights, but we're talking about minor and incompetent infants. This is for their health and their protection, this bill. What this bill...Governor Thompson alleged that veto of the Senate Bill 21, that the Illinois Parental Consent for Abortion Act on the grounds that it did not compound with the constitutional requirements. It seemed to claim in his Veto Message that there was no possibility for a minor to escape parental notification under Senate Bill 521. Let me assure you that the Supreme Court has held in Planned Parenthood versus Danforth, Bellotti versus Baird, and H.L. Mattheson and...and Planned Parenthood...Ashcroft that the State may require a parental involvement in their minor daughter's abortion decision, and if there remains the possibility the minor can avoid parental involvement by going to the court and providing either that she is mature enough to make that abortion decision on her own or that it is not in her best interest to make...to have her parents involved, she so can do that under our present system. Senate Bill 521 provides for just such a possibility by specifically allowing the minor to go to court to prove she is mature and that it is not in her best interest to have minors notified...parents notified of the abortion. Senate Bill 521, by its terms, does not apply at all to an emancipated minor, a minor who is married or who is not otherwise in the custody of her...of their parents. The Governor also seems to imply that Senate Bill 521 is inadequate under a recent decision of the seventh circuit appeals, Planned Parenthood versus Pearson, striking down the...Indiana parental...notice law because it did not provide for prompt, counsel-assisted, confidential appeals from court decisions denying the minor the right to have an abortion without parental involvement. Senate Bill 521 specifically provides for a prompt, confidential and

counsel-assisted appeal. The grounds upon which the Governor vetoed Senate Bill 521 are clearly nonexistent. The parents of this State have a right to know when their daughters are about to be aborted, but better than that, for the protection of this individual, whether she chooses to have an abortion or not, the parents are the best ones to know the history of the child's health. The parents are the ones to know if diabetic...diabetes runs in the family or any other type of diseases. It's too bad in the State of Illinois that minors go to these abortion mills and get aborted, and only for their parents to come home and find them bleeding to death in beds and dying and not being properly given the health protection. We are not saying anything else that we're not saying in whether that child should have a blood transfusion or anything else, the parents best know that health history and if it's not in their best interest, in this State we give them...judicial process, and this bill gives it to them, and I think that this is a good bill, not only for parental rights but for the rights of good health and nurturing of our young that are underage and minor and incompetent. I think it's a good bill and I ask for an override.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Senator Chew.

SENATOR CHEW:

Just a point of personal privilege. The children and parents and teachers in the gallery, to the President's forehead, are here from St. Columbanus School which is located in the 16th District, and I would ask the Senate to welcome these children, teachers and parents here.

PRESIDING OFFICER: (SENATOR BRUCE)

Would our guests in galleries please rise and be recognized by the Senate. Welcome to Springfield. Is there discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President and members of the Senate. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Collins.

SENATOR COLLINS:

Senator Lemke, this is a bill that caused me great concern when I heard it in committee. It was my understanding that efforts would be made to lower this age from eighteen to under sixteen. Did that happen in an amendment?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

We have gone with what we...consider a minority...who is a minor in the State of Illinois, that is another Statute that does not pertain to this law. This has not been done in the bill. It's what the law of the court is and the law of Illinois is. Unfortunately, Illinois says the age is eighteen. I think it should be higher as far as consent and in a lot of matters that people get involved in when they first reach the age of eighteen. We choose to do that difference in...in regards to the drinking of alcoholic beverages. I think it's even in our intent to do it in this, but this bill, Senator Collins, provides that individual the right to go in the court and prove that they are mature enough to understand that. It also provides for the confidential of the minor's identity. It also provides for waiver if the...parents have been previously notified as required by the U.S. Court of Appeals. That person that is a minor, until the State of Illinois reduces the age to sixteen to become adult and allow sixteen year olds to vote and allow sixteen year olds...we have to go with what the State law is and that's the general law throughout the country.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Is it the intent of the Legislature to mandate that both parents be notified?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LENKE:

If you'd listen to the explanation of the bill, there's certain provisions where both parents do not have to be notified, and that's in case of excess or where there's a divorce situation and other...other categories which was specified in...in June when we talked about his bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Collins.

SENATOR COLLINS:

Thank you. I...personally, this is probably one of the only abortion bills that have come through this Chamber since I've been here that I feel have some merits, while recognizing that this particular bill has some problems, because I don't feel that a girl over sixteen years of age, seventeen...should have to notify her parent before having an abortion, and it can slow down the process. While on the other hand, I do not feel that a girl twelve or thirteen or fourteen year olds should, in fact, be able to have an abortion and go home without any adult understanding or know...knowing what has taken place. To avoid complications, someone needs to know and, Senator Lemke, I will echo what Senator Keats said about Senate Bill 520. I think what we should do is take this bill out of the record and work on trying to solve the problems that you're trying to get to, because I think this is a legitimate, honest problem. It has nothing to do with whether you are pro-or anti-abortion. It is just simple common sense that without adequate medical records for those young girls, that...that those girls can, in fact, no matter how good the clinic or the doctor may be,

have serious complications that can lead to their death or even future medical problems, and for that reason, I support the concept but I cannot support the bill in its current form.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke. Was that a question?...is there further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, I think I'll just waive my...waive my speech because all...all it's going to do is engender some more heated discussion. Everybody knows how they feel on the issues, but the fact is, once again, we've had a court determine that the exact same parts of this bill that it...that...that were in the Indiana bill were declared unconstitutional. The last bill that we heard was so important that we found it in a Conference Committee report, not going through the whole process here, committee, full discussion of the Floor, but it came out of a Conference Committee report, that's how important that bill was deemed by the sponsor of...of that legislation. This bill is going to pass just like the last one. It's going to be declared unconstitutional just like the last one, so we might as well get it over with.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Grotberg.

SENATOR GROTBORG:

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

PRESIDING OFFICER: (SENATOR BRUCE)

Indicates he will yield. Senator Grotberg.

SENATOR GROTBORG:

Senator, in the twilight hours of June, I supported both of these bills. Since I have learned that the concept of incest is not...a pregnant minor because of incest is not specifically treated in this any different than any other

pregnancy...am I correct? I...I do not have the bill in front of me. I need it for the record, is it just another pregnancy?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

If you would read carefully and what we talked about, if there is incest, the parent that commits the incest does not...is not notified if the child chooses to have that...that abortion. That provision is in this Act. That has been...come unconstitutionally in regards to the law that has been adopted, and this is the law that has been adopted in various states. This is the law that has improved, in fact, in the last Supreme Court decision they have...even go further to the point that they can even go in and get parental consent if a minor has an abortion. This is just notification that that child is having an abortion, and if she chooses not to have notification because of incest, she is excepted from that of notifying the parent that committed the...incest. That provision is in here.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg.

SENATOR GROTBORG:

A further question, all incest is not committed by a parent. It can be incest with older children, younger children, et cetera. Specifically, is there any specific on that problem? Then do they notify both parents?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Senator Lemke.

SENATOR LEMKE:

I would assume that the parent would know that the incest was committed on that child, but if that was not the case and if the child wished not to inform the parent, we have set up the due process procedures that are in every other state, she

has a right for immediate trial the same way as we go in to give children blood transfusions and other things which is...when their parents refuse that. They...she has those rights in this bill. We do not...this bill does not get into regards to the Abortion Act. This is a separate Act. It's the parent...in regards to parent notification.

PRESIDING OFFICER: (SENATOR BRUCE)

Further...further questions? Further discussion? Senator Lenke may close.

SENATOR LENKE:

I think that this is a good bill. I think in the...in the behalf of those children, if we think of those teenage mothers-to-be that have children or whether they choose not to have children, this bill protects that...person's health whether the age is...what the age of consent is in this State is in another law, and we say it's eighteen; that is what the law is in the State; it's been on the books for...many times. It is true that some children are younger and have more maturity. This bill allows that for them to go into court and notify the court and their parents do not...if they can prove that they are mature enough and understand what's going on, and I'm sure that with...on behalf of such great organizations like the ACLU, they will go on the behalf of these children and get them to...to get an abortion and make sure their rights are legally protected or maybe the ACLU will choose to abandon representing like children like they have in the case of spina bifida children, but I think this is a good bill. We have constitutionally gone over every decision, that has been put in the record. We have done this not just for notification of parents and not just for the State interest, but we have done this for the interest of every minor child that becomes pregnant, whether they choose to be...have an abortion or not, this is for their health, because we feel in the State of Illinois that the parent

knows the best about the history of that particular child's medical background, and I ask for an override of this veto.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall Senate Bill 521 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 44, the Nays are 10, 1 voting Present. Senate Bill 521 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. For what purpose does Senator Grothberg arise?

SENATOR GROTHBERG:

On a point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

I think Senator Becker has a prior point.

SENATOR GROTHBERG:

I would hope so. Thank you.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Becker is recognized.

SENATOR BECKER:

Point of personal privilege, Mr. President. On the Senate Floor with us today is a gentleman who served for a period of twelve years in this General Assembly. He was known by many but loved by all. He has a heart ten times the size of his body, and I would like at this time to ask the former Senator, who I replaced, former Senator James C. Soper, to stand and be recognized by this General Assembly.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Soper, happy to have you back, Senator. Senator, we put you at a desk without a microphone, so...we're happy to have you here.

SENATOR JAMES C. SOPER:

(Remarks made by Senator Soper)

PRESIDING OFFICER: (SENATOR BRUCE)

Happy to have you back, Senator Soper. Senator Vadalabene.

SENATOR VADALABENE:

Yes, Senator Soper, as chairman of the Committee on Executive Appointments, do you remember one time when I came before your committee and you said, Jessie James had a gun, and told me to go back and do my homework?

PRESIDING OFFICER: (SENATOR BRUCE)

Why don't you and Senator Vadalabene work this out before you...we want you to have all friends here, Senator Soper, tomorrow. All right. Senator Becker, did you...all right. Senate Bill 547, Senator Netsch. Senate Bill 583, Senator Berman. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 583 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman is recognized.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 583 was a bill that was requested by our own legislative oversight committee, the Joint Committee on Administrative Rules, and what it does is to delete one sentence in the bill that created the Administrative Procedures Act. That sentence said that one of the exemptions from the Act would be the State Board of Education's statements...guidelines or policies which do not have the force of law. We felt that including that...keeping that exemption in the Administrative Procedures Act just lent confusion to the enactments and policies of the State board. The Governor saw fit to veto this bill. I think that the bill was proper.

The State Board of Education is neutral. The Joint Committee on Administrative Rules thinks that it's necessary. I solicit your Aye vote to override the Governor's veto.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman, had you concluded? All right. Is there discussion? Discussion? The question is, shall Senate Bill 583 pass, the...the veto of the Governor to the contrary notwithstanding. 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 54, the Nays are 1, none voting Present. Senate Bill 583 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senate Bill 682, Senator Lemke. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 682 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke is recognized.

SENATOR LEMKE:

I move to override the veto on this bill. What it does is raises the threshold to the filing of reports which was requested by the State Board of Elections. We've been through this many times. It just simply raises this exemption because the State board finds that a record keeping is...is greatly increased because of the amount of offices and I think that by increasing the limit to two thousand and...and the other contribution limit to the amount. I think it's a good bill and I ask for its adoption. I think a lot of this is either we have complete disclosure, like Iowa, and you get into a car and then you got to determine whether that's a political ride, a lobbyist ride or a personal ride,

I mean, I don't know, but I think that if we want to cut the cost of government, this is a bill to cut the cost of State Board of Election which I have watched grow astronomically in the ten years that I have been here, and this is one of the bills that will cut that cost significantly. I ask for a...an override.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? The motion is to override. Discussion? The question is, shall Senate Bill 682 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 22, 1 voting Present. The motion having failed to receive the required three-fifths vote is declared lost. Senate Bill 688, Senator Buzbee. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 688 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Buzbee.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. We passed this bill back in the spring with the vote of 58 to 0 to 0. The Governor saw fit to...to veto it. It passed in the House, by the way, 107 to 0 to 7. What it does is it allows the...authorizes, rather, the Department of Conservation to establish a separate three-day harvest period for the taking of deer buck by shotgun at the end of either or both shotgun harvest periods. What happens at the present time that the Department of Conservation has a...two different three-day hunting periods for deer. A hunter can take either...that's for shotgun sea-

son...a hunter can take either doe or buck during that time period. They very carefully control that due to the fact that they don't want too big of a kill, obviously, in the...in the deer...in the doe population, but the buck population is really not a problem. This bill would allow an additional three days of hunting of bucks after the close of each of the two regular deer hunting seasons. That would be bucks only. It gives the sportsman, the hunter, a little bit of additional time to go out in the field and...and take their...take their deer, and I would ask for a veto override, in this case, because it's very important to the hunters in my area and I think to the hunters in...all over the State of Illinois. I think it's a good idea, and I'd like to see the veto overridden.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall Senate Bill 688 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 38, the Nays are 16, none voting Present. Senate Bill 688 having received the required constitutional majority is declared passed. Senate Bill 726, Senator Lemke. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 726 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

What this bill does is creates the Illinois-Michigan...

PRESIDING OFFICER: (SENATOR BRUCE)

Excuse me, Senator Lemke, may we have some order, please. Ladies and Gentlemen, if we'll take our conferences off the floor. Senator Lemke.

SENATOR LEMKE:

...what this bill does is creates the Illinois-Michigan Canal National Corridor Civic Center Authority of Cook County Act, and also applies this to other municipalities in regards to clearing up the problem in regards to the taxing of civic authorities within those communities. It also assists Rockford in some of the problems they have in...in...in building up their civic authority. I think it's a good bill. I...and I have been on record and said this, that anybody in the State that wants to develop the Illinois-Michigan Canal in their county or their area, I would support that authority. I have been on record on the Illinois-Michigan Canal for the last ten years and longer. I think it's a good idea. It means a lot of money to Illinois. I think this bill is very important, and since the bill will have some time to take effect and I have talked to several people that we will include other...other people within this Act or set up their own Act in regards to that area, because I...I feel that in my experience in Springfield, that certain counties don't want to be with Cook County and other counties don't want to be with Will, and it comes to...they all want their own authority, and I went through this many years with Senator Dougherty, the late Senator Dougherty. I think it's a good bill. I ask for its adoption. I think it's a chance to bring money to Illinois, and we can show the Feds that have said that we have lagged behind in doing something on our part to get the Federal money, that this bill will show a start and assist us in helping bring that money to Illinois. I ask for an override of the Governor's veto.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to override. Discussion? Senator Keats.

SENATOR KEATS:

Could you remind us again, does the Rockford Civic Center get to hire it's own police forces and all sorts of stuff? I mean, my memory of the bill is such that we all kind of go, give me break. I mean, could you, please...I don't have any trouble with the Illinois-Michigan Canal, in fact, my memory is I supported the bill with that on it, and then when it came back with one of the House amendments, you know, these Senate bills pick those things up once in awhile and we can't figure out there they came from. Could you explain exactly what these new powers are?

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

I...if I'm not mistaking, for Rockford we cleared up some of the problems we had, we took a lot of that out, and what they want in their authority is they have an opportunity to buy a...a hockey team to get to Rockford, and this will give them...it's permissive whether they want to or not, if it's going to be to their financial benefit, if they're going to go into partnership to get that hockey team. That is under the...the regulations of that particular...this is what Senator Giorgi told me.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Keats.

SENATOR KEATS:

Yeah, my name's Keats.

PRESIDING OFFICER: (SENATOR BRUCE)

You're on, Senator, if you'll just start talking.

SENATOR KEATS:

I know. No, you just identified the wrong guy. I'm just giving you a hard time. Yeah, what we're saying is the...using a corporate tax base, we're going to have the City of Rockford using it...it's own municipal tax base or

corporate tax base, bringing in a hockey team at the taxpayers' expense? The only city in the entire country I know that does it, I think, in Green Bay, Wisconsin, with the Packers, although the Packers, I think, are a publically held company and to by and large a stock company. I think this would set a precedent that Rockford might be the only city in the whole country that has its own tax supported hockey team or something like that. I mean, see...I...I can't remember exactly what it is, I just remember it's powers that nobody else has anywhere.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Lemke.

SENATOR LEMKE:

What this does is allows the Rockford Civic Authority to...to at least acquire an interest and public or private firm corporation or association use for...for its purpose. Now Rockford, under this Act, okay, will be the only civic center authority that will be taxed locally. All the rest in the State...that problem has been cleaned up, they will be exempt under this bill, but Rockford has chose to be taxed locally for this reason, and it...and my understanding is that this is so that the owner of the rink has to be a partner in the corporation that's getting the team. That is the regulations according...and that has to be done through local approval, from my understanding in talking to Representative Giorgi. I think it's a...should give them the opportunity. I think it will give them a chance to...to build up the civic authority and make it profitable, and I think this bill, according to the authority in Rockford, will do that, and I think it's a good bill. I ask for its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

Question is, shall Senate Bill 726 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all

voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 20, none voting Present. The motion having failed to receive the required three-fifths vote is declared lost. 776, Senator Berman. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 776 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman is recognized.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill that was passed out of the General Assembly set up a program for senior citizens who earn less than ten thousand dollars a year to enter into annual contracts with the local county treasurers to defer the payment of their real estate taxes until the time that their house was sold or upon their death. The Governor saw fit to veto this bill for three reasons, each one of which is a faulty reason. He said that it duplicates the circuit breaker program. It does not; it supplements the circuit breaker program. He talked about loss of revenue and that is not true. There is a revolving fund that is created under this bill. That fund will not lose any money; in fact, it will earn money because the deferral of...of the taxes is paid back to the State upon the death or the sale of the house with interest, and there is no loss to local communities, to local taxing bodies, because of the revolving funds use of money which...in fact, pays the real estate tax to the local tax collector, and it is a totally voluntary program. If a senior citizen finds that this is an alternative to, in many situations, losing their home or a foreclosure situation for nonpayment of

taxes, this is a very viable and important alternative. I solicit your Aye vote to override the veto.

PRESIDENT:

Discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I rise in opposition to this override motion. The Governor in his amendatory veto message did point out that there are at least three other programs that are designed to meet the...the need which this bill attempts, and I think...attempts to address; the circuit breaker program, the senior citizens homestead exemption and the newly enacted provision which provides the opportunity for the deduction of the property tax from the individual's State Income Tax. I think those are all valid reasons for voting against this override motion. I would point out that there's...another good reason for voting against this override motion, and that is the fact that while it is...it is...it is true that a fund is established by proceeds from the lottery in the amount of three hundred and thirty thousand dollars, and to establish a fund from which payouts would be made, that that three hundred and thirty thousand dollars is a net reduction in the General Revenue Fund because that's where the proceeds of the...lottery are transferred. I would also point out, and this is very important, that there are...there is language in this legislation that says that if the demand on that fund exceeds the three hundred and thirty thousand dollars that the General Assembly will appropriate from the General Revenue Fund as much additional money as be necessary to fund this program. This is an open-ended entitlement which is established by this legislation. I urge you to vote No on this bill.

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END OF REEL

REEL #3

PRESIDENT:

Further discussion? Any further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you, Mr. President. The three programs that Senator Etheredge referred to don't help the people that this bill is intended to help. The deduction on income taxes is meaningless to a senior citizen who is earning less than ten thousand dollars a year. You're talking about pennies there, and you're talking about a loss of a home under this bill. The circuit breaker and the senior citizens homestead, again, is addressed to seniors who have sources of income and who have the ability to pay their taxes. This is a voluntary, optional program where when we have in every one of our communities rising assessed valuations that are impacting upon seniors who are no longer earning money, this is their very...this possibly will be their only alternative to preventing a foreclosure of their homes because of the inability to pay taxes. It is not going to cost the State any money, it's a revolving fund. Any future appropriations are subject to the determination and appropriation of the General Assembly. This is one of the few bills that I think addresses this segment of our seniors and is very important to that segment. I think that we haven't done much, if anything, for these poor, poor seniors allowing them to stay in their homes. It's a voluntary program. I think it ought to be passed. I urge an Aye vote.

PRESIDENT:

The question is, shall Senate Bill 776 pass, the veto of the Governor to the contrary notwithstanding. 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 34 Ayes, 19 Nays, none voting Present. The motion fails. Motion in writing, 789, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 789 do pass, the veto of the contrary...veto of the Governor to the contrary notwithstanding. Signed, Senator Welch.

PRESIDENT:

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. This bill concerns the dredging of the Illinois-Michigan Canal for a distance of eight miles between the Village of Utica and the City of LaSalle, Illinois. The purpose of this bill is to allow for the Illinois-Michigan Canal to be developed into a tourist attraction and bring jobs to a county which has twenty percent unemployment. The Governor has vetoed the bill, and in his veto message misstated the facts. When his own witnesses from the Department of Conservation testified on this bill, they specifically stated that it would cost fifty thousand dollars to dredge and two hundred thousand dollars to buy land to put the spoil upon. However, the Governor states it will cost one million dollars and that is incorrect. In addition, the State is currently dredging part of the canal where the Pacumpsa Creek runs into the canal, and they are putting this spoil on the bank, which they could do very simply with this. The Governor also alleges that the maintenance will be fifty thousand dollars a year. This is a one-time project. The bottom of the canal is lined with a clay liner when it was first built, and what we are trying to do is get down to the clay liner, allow the water to rise to a depth of five feet so it would get through the winter with-

out freezing. If the water gets through the winter without freezing, the fish will not be frozen in the water. So, I would move that the Governor's bill...Governor be overridden.

PRESIDENT:

Any discussion? Is there any discussion? If not, the question is, shall Senate Bill 789 pass, the veto of the Governor to the contrary notwithstanding. 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? Have all voted who wish? Take the record. On that question, there are 36 Ayes, 20 Nays, none voting Present. Senate Bill 789 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Request a verification of the affirmative votes.

PRESIDENT:

That request is in order. Senator Philip has requested a verification. Will the members please be in their seats. Mr. Secretary, read the affirmative votes.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Becker, Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Darrow, Dawson, Degnan, Demuzio, Egan, Friedland, Geo-Karis, Grotberg, Hall, Holmberg, Johns, Jones, Jeremiah Joyce, Jerome Joyce, Lechowicz, Lemke, Luft, Marovitz, Nedza, Netsch, Newhouse, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDENT:

Senator Philip, do you question the presence of any member?

SENATOR PHILIP:

Senator Geo-Karis.

PRESIDENT:

Senator Geo-Karis on the Floor? Senator Geo-Karis on the Floor? Strike her name. Any...alright, the roll has been verified, there are 35 Ayes, 20 Nays, none voting Present. Senator Welch requests that further consideration of that motion be postponed. It's so ordered. 826, Senator Bruce. Read the motion, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 826 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. As it passed out of this Body, Senate Bill 826 did two things that I thought were important to the community colleges throughout the State of Illinois; one of which was to assist them when assessment errors are made by people over whom they have little or no control and a multiplier is granted that they could go back and for a limited...extremely limited period of ten days, file an amended tax levy. As you all realize, each year we go through the process of handling legislation for the K through 12 institutions who have been caught by high multipliers, and this would have assisted them in the...in that same way. We passed legislation out of this Body doing that for the K through 12 schools. The Governor saw fit to veto the community college bill that is before us right now. In addition to that, we have had a good deal of difficulty in getting some areas of the State of Illinois into a community college district; Evanston, the Bloomington area and other places, and we had worked on almost every possible way of inducing people to decide to reside by referendum into those districts. We have been unsuccessful, and a new approach was given in this bill which we wanted to try, and that just says that...when people who reside outside a

community college district send their children to a community college district...the high school district, in fact, charges what is known as a chargeback, and we wanted to add that onto their property tax bill to...to alert them to the fact that even though they may not be in a college district they are, in fact, paying taxes for that district and would, in fact, receive more State funds were they included in a district, and we thought it might assist them in...in...in deciding to go into a community college district. No referendum changes, nothing more than an educational point on your tax bill saying, this is what the high school district paid out in chargeback to community colleges throughout the State of Illinois. I think the bill made good sense. I'm sorry the Governor saw fit to veto it. I think that it would give us the flexibility we need in...in the changing times of assessment, and additionally, it might help us solve the problem of unincorporate area...unincorporated areas of the State of Illinois that are not in community college districts.

PRESIDENT:

Discussion? Is there any discussion? If not, the question is, shall Senate Bill 826 pass, the veto of the Governor to the contrary notwithstanding. 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? Have all voted who wish? Take the record. On that question, there are 51 Ayes, 4 Nays, none voting Present. Senate Bill 826 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. If I can have the attention of the membership, UPI has requested permission to take some still photos. You ready, Sam? Turn a little to the left there, that's good. Okay. Right here, right here. Okay. Leave granted? Leave is granted. 831, Senator Degnan. 838, Senator Bruce. Motion on Senate Bill 838, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 838 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Bruce.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Body. Last year we passed a series of cable television bills which some were signed, some were vetoed. This is one of the bills that passed out of here 58 to 1. The Governor saw fit to veto. It passed out of the House 114 to nothing. The cable TV industry is at a loss as to where to proceed. This bill just says that they can cooperate with other utilities in placement of their lines and cables. The communities throughout the State of Illinois are desirous of getting cable TV service. They are not a utility. The Governor says that they are a utility, that utility legislation effects them...and...and he saw fit to veto the bill. 838 does nothing more than saying that they shall cooperate with other public utilities in granting easements for cable TV lines. It's as simple as that. We need the bill to operate cable systems in many of the communities of the State of Illinois. Solicit your support.

PRESIDENT:

Any discussion? Any discussion? Senator Johns.

SENATOR JOHNS:

Senator Bruce, something bothers me. In the Governor's recommendation it says the bill is unconstitutional as to any additional property use not granted by the owner, and I'm one of those people that's very close-knit about the owning of my property and the use of it by anybody else. But it says, not granted by the owner is the taking of property without compensation. How does the property owner come into any

compensation for additional use by such a firm as the cable TV?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Well, I think the Governor just didn't read this one. It states in the bill, on page...lines 22 through 25, "The owner of the franchise shall pay a reasonable portion of the amount such utility paid to the owner of the land to obtain the easement." They must pay for the easement. It's in the bill. The Illinois Municipal League and everyone else, we went through this with a fine-toothed comb to try to iron out all the difficulties. It requires the payment of compensation.

PRESIDENT:

Senator Johns.

SENATOR JOHNS:

But you see, Senator Bruce, what really bothers me is this is an additional use by a...a semi-utility, in a sense, but there's no additional compensation to the property owner, it's just that they...they give it to the...to the present utility who has the line through there, and so the property owner doesn't have any...say-so as to what's coming across his property. Now, I know of a case...my property, for example, in which they started to string a...a cable TV line across it, and the judge, a friend of mine, told me if they do it, it would take you years in court to undo it, because you acquiesced by just letting them go across the property.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

No, I...we must...for those of you worried about the easement problem and condemnation, this is the way out of it, and that is, cable companies are not utilities regulated by

the Illinois Commerce Commission. If they were, they would then be granted the right of condemnation and then they would be coming before the Illinois Commerce Commission for approval, there's a petition process. All that comes in. Cable TV systems are not public utilities. They do not have the power of condemnation. That is not granted in this legislation. What this bill says is, rather than give them the right of condemnation, other utilities with whom you have already negotiated, Senator Johns, with whom you have already gone and had the rights of petition for the Commerce Commission, all those rights drug in, that the cable TV company can pay them a reasonable fee to use that existing easement so that we don't go through all of that again, so we don't have people with sixteen lines across their property. And all those public utilities, which cable TV's systems are not, have, in fact, sought and received the power of condemnation, sought and received ICC approval. This just says, then having done all of that, the cable system can pay that utility a fee to use that existing easement. It...it keeps us out of the condemnation route, and I think this...it makes much good sense to say to these cable companies, you don't have the power of condemnation but we will assist you in finding easements to run your lines, and you will pay for them. That is in the legislation.

PRESIDENT:

Further discussion? Senator Bloom.

SENATOR BLOOM:

Thank you, Mr. President. The vice that the Governor found in this measure was stated briefly that under Illinois-Indiana Cable TV versus the Commerce Commission, they are by definition, cable TV is not a public utility. The vice stated simply is that essentially it, while not a regulated industry, would get the benefits of the easement or the right of eminent domain that a regulated utility would

have while remaining unregulated, and to a degree, the price is a kind of a bargain basement price because, if I understand the bill and the Gov's Veto Message, you...you pay a proportion of what the utility paid for the original easement. But I think that clearly this measure is...is unconstitutional. So, I...I would suggest that we uphold the veto. Thank you.

PRESIDENT:

Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. You know, it's kind of interesting, they're already doing it. I happen to live in Elmhurst, Illinois and my great city council decided to pass an ordinance allowing cable TV to come on my easement. They came on my easement and put their lines up on a Commonwealth Edison pole. Commonwealth Edison charged them four dollars a month for the use of that pole. I had the inconvenience and had them run over one of my little trees that I had planted in the back of my lot, and would you believe it or not, you think that I got two dollars out of that four dollars every month. No, no, Commonwealth Edison kept that four dollars. You know, it's a little frustrating, quite frankly, when...I...I'm trying to remember what my last Commonwealth Edison bill was. I think it was four hundred and seven dollars. On top of that, they get four dollars from the cable TV company every month for the inconvenience that I had. Now, if you want to treat cable TV like public utilities, you want to vote for this...this bill. If you do not, we should send it right down where it belongs.

PRESIDENT:

Any further discussion? Further discussion? Senator Bruce may close.

SENATOR BRUCE:

Well, Senator Philip, I thought we had solved your problem with the little tree. I...and I mean that sincerely, I...I thought that they had contacted you a long time ago on explaining how the little tree got damaged. This bill...I think, Senator Philip, you...you've...you have misstated. We...in case law, they are not public utilities, that is clear. What we are trying to do is, having not created them as public utilities, let's don't drag in all of the problems, all the hearings, all the easements, all the condemnation. This bill says they shall share easements, that's all. I think it's a reasonable approach. If we don't do this, we're going to be back here with a full-blown cable TV industry. We have it...every one of us have one of these guys in our districts. The people in our districts want the service, and if they can't get the poles and they can't get the usage of the poles, if Commonwealth Edison, CIPS in my area and others, by agreement, working with the other utility...they don't have to, then we're going to go into condemnation, have another set of poles like they did in my home community, so that the telephone company has a set of poles, power company has a set of poles, the cable TV company has a set of poles. Why do all that? Let's make them share. Ask for a favorable vote.

PRESIDENT:

Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President. I'm...I'm sorry to rise for a second time. They have fiber optics right now. They can put it right through your telephone. You don't have to have a pole, you don't have to have underground, you want to know truth. That's how sophisticated they are now. Well, I'll tell you one thing, I...like to let you read...you're a lawyer, I'd like to let you read my easement. My easement specifically says, and drawn by a...by a lawyer, that only

public utilities, and it names those public utilities, whether it's Illinois Bell, Commonwealth Edison, et cetera, et cetera. Doesn't say anything about cable TV, but my city council, in their lack of good judgement, decided to allow them to come on my property, and then they pick up four dollars a pole for my inconvenience which I received nothing. So, they're already being treated like public utilities, whether you like it or not. And what you're trying to do with this bill is make them legal, because if it ever gets to the courts, I don't know how in any stretch of the imagination that anybody could decide that cable TV is a public utility.

PRESIDENT:

Senator Bruce, do you wish to close again?

SENATOR BRUCE:

Well, just that I think that most of the cities in the State, including the...Illinois Municipal League, have taken a look at this. This is a way to solve a problem. Rather than let it get too big, why don't we do something about it today. Ask for your favorable vote.

PRESIDENT:

Question is, shall Senate Bill 838 pass, the veto of the Governor to the contrary notwithstanding. 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? Have all voted who wish? Take the record. On that question, there are 28 Ayes, 19 Nays, 4 voting Present. The motion fails. 840, Senator Jones...938, Senator Netsch. Motions in writing on the override of total vetoes, the bottom of page 20, there's a motion on Senate Bill 938, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 938 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. This is a merely bill. It merely provides for the public financing...partial public financing of campaigns for Governor and Lieutenant Governor. The substance and the particular provisions of the bill have been gone over in some detail in our previous discussions on the Senate Floor. As a matter of fact, this bill and its House counterpart have actually passed the Senate, I think, on six separate occasions during this past year, what with Conference Committee reports and amendments and so forth. So, what I will do is just very quickly address a couple of the points that were raised in the Governor's Veto Message. First of all, the Governor said that the bill was for politicians. That is absolutely incorrect. The bill is not for politicians, it is for people because it is people who are deeply concerned about the integrity of campaign expenditures and financing, both the amounts and the sources thereof. Secondly, Governor Thompson said that somehow this bill was going to...to hurt incumbents. That is, to put an extra burden on them in comparison to those who might be choosing to run for the office in the future. I think that is not correct under the terms of the bill, and I would suggest that if he would really like to test that, what he ought to do is to offer to trade with any of those others who might be seeking the office, the enormous powers, the enormous advantage of incumbency. There is no question that an incumbent governor has...has advantages over anyone who is seeking that office, and what we were more concerned about was the fact that putting limitations on expenditures and the amount that can be contributed might end up being much too favorable to incumbents. So, I think he has that problem exactly in reverse. Third, the Governor said that the races for public

office and for governor in particular are not dominated by the special interest contributions. I would remind him that in the last gubernatorial campaign over one-third of all of the campaign contributions came from clearly identified special interests, and that was about one-half of Governor Thompson's contributions and about one-sixth of Adlai Stevenson's. I would consider, by any decent measure, that is dominance; but it's not only the so-called special interest contributions, it is the heavy dependence that anyone running for that office must put on those who can contribute large sums of money. One of the major purposes of this bill is to encourage, indeed to require the funding by large numbers of people in much smaller contributions, and it will have that impact. Finally, I think the Governor really missed the purpose of the bill. What it addresses is the integrity of our electoral process. As I indicated before, I think a lot of people are deeply concerned about the amount and the source of...of the financing of campaigns at this time. It is my feeling and I believe the feeling of a lot of people in this State that the present system is indeed undermining our political process, and I think that is unfair, surely, to the candidates themselves and those who might not have enough money to run for this office, but most of all, it is unfair to the people whom they seek to represent. That is what this bill is all about.

PRESIDENT:

Any discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I might remind my fellow members that we just have gone through a very grueling Session, a tax increase, a very difficult thing to pass, a very difficult time. There are many people who thought we haven't spent enough money on mental health, secondary education, higher education,

prisons. Now, we're going to come along, when we don't have enough money in the general fund now, and decide to finance gubernatorial campaigns. To say the least, the timing isn't right, unless maybe we're ready to come back next Session and vote for another tax increase. I don't see how that's going to happen in an election year, but it would seem to me that this idea is not too well-informed, and I suggest that we vote No.

PRESIDENT:

Further discussion? Senator Eloom.

SENATOR BLOOM:

I'll be brief...I think we should sustain the veto for a number of reasons. Basically...basically, the gubernatorial elections are not "dominated" by special interests. I think the most recent one shows that, very obviously, and I know the new candidates are not...limited financially, and you...you pick the Office of Governor, there are about four or five other State-wide officers that are not so limited. What you're doing is creating two classes of constitutional...officer candidates. Third, the limits are probably somewhat unrealistic, although that might be one of the tempting features in...favor of Senate Bill 938. And finally, are your expenditures...your expenditures while you are in office. There are...are some things that are done that are purely political, and that you certainly don't want to tap the taxpayers for; when you do a reception for your party's central committees and so on and so forth. But ultimately, this really...this really is...is not the way to go because when you prohibit the governors from making certain expenditure...gubernatorial candidates and...and then have other officeholders who are basically warm-ups for governor in some way or shape or form, I don't think you have a particularly fair situation. I suggest that we would not override this veto. Thank you.

PRESIDENT:

Further discussion? Senator Grotberg.

SENATOR GROTEBERG:

Thank you, Mr. President. I, too, will be brief. One of the things that bothers me about government is that we're slowly but surely adding everything on the cost of the taxation mechanism, either by credit, by debit, by this, by that, but always within the framework of the income tax. And in the doing of it we pass bills here every day and pass some out, and I don't know if the Governor has signed them or not, but I think of the courts. We pay both sides of the court case. We pay the public defender, we pay the prosecutor, we pay legislators and indirectly pay lobbyists, and you add all of that together and then we slip in something in between the election process and the normal ability to gain support. I just feel that it is unworthy of that office, and I appreciate the...previous speaker's point that it is making one constitutional officer more constitutional than all the others. But good heavens, is there no end to it? I suppose I have a thousand or fifteen hundred contributors. I suppose Thompson has a half a million. I suppose each of you has an equivalent, and somehow we get there, and in the...seeking of that support, we have to go out and prove our case. This bill would call for a pot of gold at the end of the rainbow for anybody that thinks that they can generate...and I realize, Senator, there's a match, in effect, but it's not good. It is not good for Illinois, it is not good for the elective process, and I would urge a No vote.

PRESIDENT:

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, when this bill first came up in June, I believe it was, I voted for it under the impression that when it went to the

House there would be an amendment to the bill which would restrict any contributions for the...gubernatorial campaign to the amounts actually collected from the check-off system. Such a provision is not in the bill and, therefore, I feel it wrong to vote for a bill...at this time to override the veto of the Governor at this time, when what I would be doing...in effect is asking the taxpayers to pay more money out of general fund if there isn't enough money checked off for a gubernatorial campaign. That's one reason. The other reason that I have is, if a...a candidate under this bill can...feel that they can do better by accepting large amounts of PAC contributions, that candidate can simply opt out of the...public financing process and thus placing an opponent who chose to work within the system at a great disadvantage. Third reason is that with the economy...curtailing our income as it has in the past, until we get out of it and we do have some safeguards to protect the taxpayers' money, I feel it would be wrong to override the Governor's Veto, and I speak against the override of the Governor's veto.

PRESIDENT:

Further discussion?...the Chair will indicate there are four additional members who wish to speak. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. The others that have spoken before me have addressed this bill very well, and when it came up last spring, as much as I respect the sponsor, I had some very specific objections then and those objections have not abated. I feel that it is principally, wrong even though it is supposed to be a voluntary checkoff on your income tax, that if indeed the money would run out for the number of candidates, and we have no way of knowing how many candidates there will be or how much money this checkoff will generate, that whether or not taxpayers want to check off that they

will indeed be charged and their taxes will be used for funding gubernatorial candidates whether they choose to do so or not, simply because we will be going into the general fund to make up the deficit of that check-off fund. I opposed this bill in the summer and I concur with the Governor's Veto at this time.

PRESIDENT:

Further discussion? Senator Hudson.

SENATOR HUDSON:

Thank you, Mr. President. The points that I wanted to make have been covered.

PRESIDENT:

Further discussion? Senator Keats.

SENATOR KEATS:

I want to rise briefly, not so much to speak to the sponsor or even so much to speak to some of my colleagues, as much as to say something to the press, 'cause I always get irritated when we talk about this system being corrupted and that people are for sale. You know, maybe you're for sale but, you know, I'm not and I really kind of resent these comments that this system, people being bought off here and there. Maybe you've been bought off but some of us happen to stand for...certain philosophy, and you know what? The contributions don't make that big a difference. That isn't the issue. I don't even know who my contributors are, I intentionally don't look at the list, usually. But I want to throw in one last point. Ask the business community, who basically funded Governor Thompson's campaign last time, whether they bought him off with those contributions.

PRESIDENT:

Further discussion? Senator Collins.

SENATOR COLLINS:

Thank you, Mr. President. I must rise in favor of the motion. All of the previous speakers have spoke against this

motion, and I am very surprised that the Governor saw fit to veto this bill, and I'm even more surprised that there's so much concern on the other side of the aisle for this bill to fail. It's unusual that they respond in that way to whatever the Governor's Message is. So, maybe there's something going on that we don't know about over here. But I think this is a good concept. It is a concept that is long overdue. The bill had a lot of work into it. There are adequate safeguards, threshold in there to ensure that frivolous candidates does not enter the race. This is not mandatory. We're not putting a gun to taxpayer's head and say, you have to support a candidate. So, for those people who do not wish to participate in the democratic process, they do not have to. But for thousands and thousands of people, the little citizens out there, who want to participate, they can have the opportunity to do so. I also feel that this is a good bill because in a democratic society it shouldn't be just based on the...the person holding office who, in fact, can raise the most money. We should be concerned about providing adequate and equal opportunity for qualified people to serve in high office, and we may find that the State of Illinois wouldn't be in the condition that it's in today. So, I rise in favor of the motion to override.

PRESIDENT:

Further discussion? Any further discussion? Senator Netsch may close.

SENATOR NETSCH:

Thank you, Mr. President. Let me respond to only a couple of the points. First, Senator Philip, one of the reasons for wanting to enact the bill now is that we have at least three and a half almost four years to build up the fund through the checkoff, the voluntary checkoff. The amount of money that that represents out of the total Illinois budget is minimal, and it is done...only by means of a voluntary

checkoff. Senator Grothberg, to you I would say that one of the main purposes of this kind of bill is to encourage a larger number of smaller contributors, and that is precisely what it has done in those states that have it. In New Jersey, about one-half of the total cost of the pre-campaign financing election was funded by about one hundred large, large contributors. After that, there were, I believe, thirty-three thousand contributors in the gubernatorial campaign, an average of a hundred and eighty-two dollars per contribution. That is precisely the kind of thing that we want to encourage so that more people do, in fact, have a stake in their State Government. Senator Keats, nobody is saying that they are being bought off. The problem is twofold. One, there is a high public perception that the special interest money has an insidious influence. I think that concern on the part of the public has to be met whether or not it is, in fact, true. And I think it...is it beneficial for those who are running for office also to be relieved of the responsibility of having to turn to the special interest and individual large contributors for bailing them out on the high cost of campaigns, and remember, there are limitations on what can be spent and what can be contributed. Finally, I would address this particularly to the eight or nine of you on the other side of the aisle who have voted on this bill at one time or another. This is not a partisan issue. What we are looking for is a way to address a problem that...that deals with the integrity of the electoral process and the cynicism that all too many of our voters have about how those of us who are in public office reach that public office. It is not a partisan issue, and I would urge those of you who have indicated by voting Yes in the past that you still believe in this concept.

PRESIDENT:

The question is, shall Senate Bill 938 pass, the veto of

the Governor to the contrary notwithstanding. 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? Have all voted who wish? Take the record. On that question, there are 33 Ayes, 24 Nays, none voting Present. The motion fails. If I can have your attention, the Chair would just reflect that the hour of...can I have your attention. The hour is now five o'clock. We ought to afford those who wish to the opportunity to get through these, so I would suggest, if you can...because we also have a Supplemental Calendar and...and it's been indicated by the members they wish to address that also. So, let's see if we can move along. Top of page 21, motions in writing. Senate Bill 1004, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 1004 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Holmberg.

PRESIDENT:

Senator Holmberg.

SENATOR HOLMBERG:

Thank you, Mr. President. Senate Bill 1004 is the corporate campus program, and you have before you a background sheet and a "dear colleague" note to help you...in this override. It left this Chamber with a vote of 56 to nothing. It passed the House with a vote of 98 to 17. The bill basically provides that the Illinois Community College Board shall administer a program for the purpose of making donated technical and vocational equipment available to community colleges. Amends the Illinois Income Tax Act to provide a tax deduction for individuals and corporations which donate such equipment to community colleges. It was vetoed by the...by the Governor because it would be necessary to revise the income tax forms, something that we will already need to do

in two of the other bills that he has signed, and that the community colleges already have grants of thirty thousand dollars each in the Economic Development Fund. As we all know, this equipment is very expensive and nearly impossible for our educational institutions to acquire with the amounts of money that we...we have been able to give them. This and the companion bill, Senate Bill 1006, I believe would bring Illinois from the Dark Ages to the 21st Century. It's supported by the Chamber, it's supported by professional engineers. It's an idea whose time has come, and I would welcome your support in an override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, somewhat reluctantly I rise in opposition to...to the motion to override the Governor's veto on this bill. I say, somewhat reluctantly, because I think the idea is...is one which has...has merit. However, the bottom line is, as far as I'm concerned, is that this is...it is a new grant program. The monies to fund the program could only come out of other programs, and there is simply not that money there. And there are a number of hidden expenses that would be associated with the implementation of this program. Senator Holmberg has mentioned one of those, that is the necessity of redesigning the...the income tax forms, but also the...the auditing and accounting burden which would be added to that which is already borne by the Department of Revenue would be a very significant hidden increase. I...as I said at the beginning, I think this is an idea which...which has merit. I think that we...we ought to encourage a closer working relationship between the community colleges and business, but I...I submit to you that this is not the bill to...to...to use to...to do that. I would urge a No vote on this override attempt.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Holmberg may close.

SENATOR HOLMBERG:

I might add that the Illinois Department of Revenue did not testify for or against this bill; that the Chicago Association of Commerce and Industry also supports this bill. It has had State-wide support all the way along since its first inception, and that does continue. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1004 pass, the veto of the Governor to the contrary...notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Senator Johns. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 36, the Nays are 18, 2 voting Present. Senate Bill 1004 having received the required three-fifths vote is declared passed, the veto of the...of the Governor to the contrary notwithstanding. Senator Etheredge, for what purpose do you arise?

SENATOR ETHEREDGE:

I would ask for a verification of the affirmative votes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge has requested a verification. Will all Senators be in their seats. I assume, Senator, you want the affirmative roll call. Senator Etheredge, the affirmative roll call?

SENATOR ETHEREDGE:

Pardon me?

PRESIDING OFFICER: (SENATOR DEMUZIO)

The affirmative roll call?

SENATOR ETHEREDGE:

Yes...yes, affirmative.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The Secretary will read the affirmative votes. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

The following voted in the affirmative: Becker, Berman, Bruce, Buzbee, Carroll, Chew, Collins, D'Arco, Darrow, Davidson, Dawson, Degnan, Demuzio, Egan, Hall, Holmberg, Johns, Jones, Jeremiah Joyce, Jerome Joyce, Kelly, Lechowicz, Lenke, Luft, Maitland, Marovitz, Nedza, Netsch, Newhouse, Sangmeister, Savickas, Smith, Vadalabene, Welch, Zito, Mr. President.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Etheredge, do you request the presence of any member?

SENATOR ETHEREDGE:

Yes, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch on the Floor? Senator Netsch. Senator Netsch is on the Floor.

SENATOR ETHEREDGE:

Jeremiah Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jeremiah Joyce is sitting in Senator Degnan's seat.

SENATOR ETHEREDGE:

See. Senator Jones.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jones is in the aisle right here.

SENATOR ETHEREDGE:

...Jerome...Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Jerome Joyce. Senator Jerome Joyce. Senator Jerome Joyce on the Floor? Strike his name. Mr. Secretary,

may I have the roll? On that question, the Ayes are 35, the Nays are 18, 2 voting Present. The motion on Senate Bill 1004 fails. The sponsor requests postponed consideration. Is postponed consideration granted? Postponed consideration. Senate Bill 1006, Senator Berman. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 1006 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This bill is similar but many votes better than the bill that you just considered, at least one I hope. This bill does for our elementary and secondary schools what you had just heard the explanation deal with regarding our junior colleges. Now, let me take a moment of your time and just go into a little greater detail. Senator Etheredge addressed the question of a loss of revenue. Ladies and Gentlemen, let's look at this...and I'm sure that you all remember that when you took shop classes, when you were in vocational education classes in any of your elementary or secondary schools, much of the equipment if I said was antiquated, I'm probably understating the fact. This bill, which is supported by business as well as the education community, says that any business that wants to upgrade its equipment may donate that equipment to our high schools and elementary schools, get a double deduction on our State Income Tax return, and in plain dollars what that means is that your elementary and high schools can get a million dollars, hypothetically, a million dollars worth of currently usable equipment at a cost of eighty thousand dollars. That's the

best investment that I've heard of in a long time. That's one reason why the Chamber of Commerce is in favor of it. That's why all of the educational and vocational education groups are in favor of it. That's why this program has received some of the broadest support of any of the programs that we've addressed in this Session of the General Assembly. I ask for your Aye vote on our motion to override the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Well, once again, Mr. President and Ladies and Gentlemen of the Senate, I would...would point out that there is no appropriation to...to fund this...this program, and the override of the Governor's Veto of the bill would result in a very substantial revenue loss to the State. I would suggest that...that this is not the time for us to be embarking on a costly new program. As I said, there is no money to fund this program. I would urge a No vote on this motion to override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Johns.

SENATOR JOHNS:

Well, yesterday I heard Senator "Pate" Philip mention Reaganomics was beginning to work, and you're talking about the prosperous times ahead. I think the money will be available. I don't see that there's a need for an appropriation to do this. You're talking about a million dollars inheritance and a tax of eighty thousand dollars on that. I think it's just good common sense. I don't know of any person in my communities downstate that would turn down such a proposition. They call us squares and rubes and everything else down there, but you offer us a million dollars and we only

have to pay back eighty thousand, we'll take it any day of the week.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Holmberg.

SENATOR HOLMBERG:

I would reaffirm what Senator Berman has said, that for every eighty thousand dollars lost in deduction we would give a million dollars to education, education which sorely needs additional funding. To me, this is a real bargain. Our local newspaper ran an editorial about two weeks ago saying that rapidly there is...a distinction between the poor schools and the rich schools, and it basically is which ones are able to buy the high technology and computer equipment. I say that Illinois needs to treat all of its schools as schools that are well-to-do educationally in this era of high technology, and this bill would allow us to begin to do this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Grotberg.

SENATOR GROTBERG:

Thank you, Mr. President. One of the things that's not mentioned here now is that all of this can be done now for a Federal tax deduction, which is the giant bite on the charitable giving concept of individuals and corporations, and it seems to me that...under that program and the availability of the charitable deduction, that the difference, and I don't know who did the homework...spade wanted to work on this bill, but the...the additional corporations...if IBM is all of a sudden, because of the Illinois deduction, going to suddenly decide that they're going to do something for the University of Illinois...or in this case elementary and high schools, I don't think that that's very germane. I don't think there's enough bait in the Illinois Income Tax deduction when added to the Federal that there will make any difference in the charitable giving of corporations in the

State of Illinois, at least not a noticeable difference. I urge we reject it.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you. I think this gives every one of our local school districts, our local school boards, the opportunity to go to their businesses and show them how the State of Illinois is giving them an incentive to upgrade the level of high tech. and vocational education in our schools. We've talked about it, this is the bill that gives us some incentive to do something about it. It's the best investment if you're talking about a potential eighty thousand dollar loss for every million dollars worth of equipment. That's the best deal anybody is going to get today in this Chamber. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1006 pass, the veto...to the Governor...contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 35, the Nays are 17, 2 voting Present. The motion fails. Senator Berman. Senate Bill 1015, Senator Hall. Senate Bill 1020, Senator Dawson. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 1020 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 1020 was part of the enterprise zone package 1299 last year, and we're asking for local enterprises...business...that locate in enterprise zones receive a tax credit or refund for State and local utility taxes on their...on their bills.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Is there any discussion? Senator Keats.

SENATOR KEATS:

I...I rise in support of this bill. You know, there are certain areas in Chicago right now, as you're well aware, that without some help are not going to make it. The enterprise zone is a great idea that maybe needs a little more help, and I throw in, the fastest growing tax in this State is the utility tax. If I had my choice of getting a break on the utility tax or income tax, I'd take the utility tax break. This is an awfully important one, particularly for the port redevelopment and for the west side of Chicago.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. Chairman and Ladies and Gentlemen of the Senate. I stand in support of this override in that the enterprise zone is going to offer incentive to businesses, especially small businesses, to come into the enterprise zone area and to set up businesses. If they do not have any incentive, then I don't think that we'd be...successful in this venture, and this is really designated to depressed areas. So, I stand in support of this legislation.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Alright. Further discussion? Senator Bloom.

SENATOR BLOOM:

Yes, thank you, Mr. President and fellow Senators. 1020 includes provisions that were in the original enterprise zone

bill that Senators Dawson, Totten and myself sponsored. We went along with the amendatory veto last year, but we also said that we would come back and try and include these kinds of tax breaks in enterprise zones. I'm going to support it, and I see no reason why we should not all support it. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, I...one of those who supported the enterprise zone bill. However, I would...if the sponsor would yield, I would like to ask a question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Etheredge.

SENATOR ETHEREDGE:

What is the fiscal impact, Senator Dawson, of passing this bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson.

SENATOR DAWSON:

Senator Etheredge, I could not give you that answer right now.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...Senator Etheredge.

SENATOR ETHEREDGE:

Well, that's the point that I wonder...want to underscore here, there's a...an unknown fiscal impact. I think in the Governor's Veto Message he indicated that in his judgement it was premature to grant still another tax incentive for those companies who are moving into enterprise zones until we get some of these zones up and running and we have a little better idea as to what...what it is we're dealing with. I would...I would hope that we would vote No on this override

attempt at...at this time, get some experience with enterprise zones and then come back and take another look at this idea after we have a better fix on what the fiscal impact is going to be.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Dawson may close.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, as was mentioned, the enterprise zones have just been designated, and we feel that this incentive, as mentioned before here, is probably one of the most important ones to bring people into these designated areas. And ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1020 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 12, none voting Present. Senate Bill 1020 having received the required three-fifths vote is declared passed, the veto to the Governor...veto of the Governor to the contrary notwithstanding. Senate Bill 1026, Senator Hall. Senate Bill 1109, Senator Nedza. Senate Bill 1122, Senator Lemke. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 1122 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

I...I believe the Governor's veto should be override...the purpose of this legislation is to take advan-

tage of the township highway commissioner's expertise in determining the financial needs of the road district for levy purposes, and if approved, the levy or budget process the procedure will be as follows: the highway road commissioner submits his request for funds to the town board of trustees, the highway board of trustees and the counties not under township organizations organize...the county board prior to the second Tuesday in September. The appropriated...appropriate board receive that levy shall clarify that amount to the county clerk to be raised by the taxation. On the last Thursday in March in the counties under township organizations the town board of trustees or highway board of trustees is consolidated road districts shall hold a public hearing on the road district's tentative budget and appropriation ordinance. At that public hearing, the board shall adopt a tentative budget, an appropriation ordinance or any part thereof as they deem necessary. This...this procedure offered in this bill provides the road commissioner with the necessary funds within legal...legal constrains and/or levy limitation. It also preserves the board's control over expenditures of those funds through their approval of the budget and appropriation ordinance. I think it's a good bill; I ask for an override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Geo-Karis.

SENATOR GEO-KARIS:

Under your bill, the highway commissioner would determine annually the necessary amount of taxes to be raised for the construction, maintenance and repairs of roads, but is it true that the budget would be set by the town board?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What it does is preserves the board's control over the expenditures of those funds through their approval of the budget and the appropriation ordinances. So, they have...they have...they have the control over the budget and the appropriational money.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Geo-Karis.

SENATOR GEO-KARIS:

So, then, in other words, if we support your bill, the only thing we're doing is letting the highway commissioner determine the necessary amount of taxes, but then the town board is the one that will have to pass on the budget; and, therefore, if they decide that the taxes are too much, why they'd be in the position to decrease those taxes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

That is correct. They...they...they're the keeper of the purse, and however they appropriate money. Be just like us with the Governor or any other department in the State. If we don't appropriate the money, you know, they can't function. But this allows the expertise of their highway commissioners to determine what they need and...allows the...the town board to determine if they have the money and what the budget should be and how it should be appropriated.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke, do you wish to close?

Senator Lemke.

SENATOR LEMKE:

I just...I just move for an override of the Governor's veto. Ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1122 pass, the veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none, none voting Present. Senate Bill 1122 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senate Bill 1156, Senator Watson...1241, Senator Newhouse. Senate Bill 1241, the middle of page 21. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 1241 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Newhouse.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Thank you, Mr. President and Senators. Senate Bill 1241 as it passed the Legislature created the Pharmaceutical Assistance Act for senior citizens and disabled persons. Essentially, what this bill did was to provide benefits for senior citizens who require significant...quantities of maintenance drugs. The Governor made two points in his veto message. His first concern was for double coverage. He worried that people might claim benefits under the program simultaneously. Two...onto two programs. This, however, is an extremely unlikely occurrence. First of all, senior citizens have to pay to get into the program. There is simply no incentive for them to seek...double coverage with that type of payment. Secondly, the enforcement would detect the double coverage very quickly. It's simple, the claims are filed by the pharmacists, and double claims for the same pre-

scription would be detected by an audit of the pharmacies' books. We already audit...pharmacies on Medicaid programs, as some of you who are pharmacists know. The Governor's second concern is over cost. The BOB estimates that the cost of this bill would be about seventeen million dollars annually. The Department of Revenue, the agency charged with administering the Act, estimates the cost to be between four and a half million and eight million. Since the Department of Revenue will be writing the regulations, we can probably safely assume they'll aim for four and a half million...for the four and a half million dollar figure. It's a much needed bill. It's...fully...it's fully supported by the Illinois Council of Senior Citizens Organizations, as some of you noted today when they came down to lobby. It also has the full support of the Attorney General, and I urge your support for this bill. I would ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Watson.

SENATOR WATSON:

Thank you, Mr. President. May I ask the sponsor a question, please?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Watson.

SENATOR WATSON:

Is there any kind of a cap involved here? Are we going to realize...put a limitation of any kind on this?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

Senator, I can't honestly answer that. I can only give you the figures as we got them from both BOB and Revenue, and I would assume from that that there is a cap, but I cannot say that specifically to your question. I'm sorry.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...Senator Watson.

SENATOR WATSON:

So, there is no cap in the legislation?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator...Senator Newhouse.

SENATOR NEWHOUSE:

I'm looking for my handlers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Watson.

SENATOR WATSON:

Well, I would suggest that there is no cap, and there...and really we...we'll have a tough time at determining exactly how many dollars we're talking about. As Senator Newhouse has pointed out, several different figures have come forth. Some of them as high as seventeen million dollars, and I would have to say that that is even a conservative figure...as a pharmacist, I...I can sympathize with the...the senior citizens who have to come in and pay the high cost of medication. There certainly isn't any doubt that medication has got to a point where some people simply can't afford it. But when we're talking about the economic conditions of our State and we're talking about no limitations, I think that this is a poor time to be establishing a new program such as this. Maybe in at a future...date that...when dollars and cents are available it would be more equitable. I can certainly tell you that the pharmacists aren't for this, and I would suggest that the...the veto of the Governor's be sustained.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President and fellow members. I rise in opposition to the program because of the five million dollar cost to the drug program by itself. That particular amend-

ment I realize Senator Newhouse is not responsible for. It came back over from the House from an unknown source as far as I'm concerned, but moreover, the concept of the main part of the bill itself, the Department of Public Aid already has the authority to do that. It's an innocuous amendment. Going over to the House and getting doctored up and...coming back with a five million dollar price tag on a drug reimbursement program for pharmaceuticals that we're having an awful time straightening out now without any additions to it. Only God knows what drugs get paid for by the Department of Public Aid, and confusing it any more, I think, is an exercise in futility. I urge a No vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Donahue.

SENATOR DONAHUE:

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

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Donahue.

SENATOR DONAHUE:

Senator, can you tell me what position this would put the Department of Revenue in?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

I'm not...I'm not sure I understand your question.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...alright. Senator Donahue.

SENATOR DONAHUE:

Our staff analysis tells us that it would put the Department of Revenue in the position of being a welfare agency.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

I think that might be poetic license. The department

will be...will be administering the Act, and their cost estimate...their cost estimate is four and a half to eight million dollars. So, they do have some responsibility here but they're certainly not in the public aid business.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further...further...Senator...or Senator Donahue.

SENATOR DONAHUE:

It says that it...that the Department of Revenue will establish a pharmaceutical assistance program for the aged and disabled. Why would the Department of Revenue be in a position to set up the program?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Newhouse.

SENATOR NEWHOUSE:

My understanding of the...of the...of the Act, Senator, as the Department of Revenue will administer the Act. They will handle the dollar signs, they give us the estimate on what it's going to cost. Further than that, I...the opponent knoweth not. I have no idea what they're talking about there.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Donahue.

SENATOR DONAHUE:

Well, I...I just, too, would say that I...at...at a...at some point, I think it would be good. It's...with the...the fiscal state that we find our State in, I think that we should oppose this.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Alright. Further discussion? Senator Newhouse may close.

SENATOR NEWHOUSE:

Thank you, Mr. President. Mr. President, I do appreciate the questions that have been raised, and I...I...I appreciate some apprehension. Let me just suggest this, that what we're

talking about now is the health of our senior citizens and the cost to them. We all know, we all know, that the economy is not improving for senior citizens. That inflation is taking away the pensions that they have worked for. We all know that the costs of energy are driving some of them into...into near starvation. We all know that the health care problems are aggravated beyond belief. We...we owe them something in their golden years. We owe to these persons who have contributed to our social system a minimum of health care, and what we're talking about is not serious operations. We're talking about something very basic; day-to-day care, pharmaceuticals that will permit them to live out their golden years in some kind of reasonable health. I think we owe it to them, and I'd appreciate an Aye vote on this. I think it ought to go out of here overwhelmingly. Thank you, very much.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall Senate Bill 1241 pass, the veto of the Governor to the contrary notwithstanding. 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? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 24, the...none voting Present. Senator Newhouse requests consideration be postponed. Postponed consideration. Senate Bill 1256, Senator Dawson. Middle of page 21, Senate Bill 1241...I'm sorry, 1256, Senator...Dawson. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 1256 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Dawson.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senate Bill 1256. Senator Dawson is recognized.

SENATOR DAWSON:

Mr. President and Ladies and Gentlemen of the Senate, Senate Bill 1256 states that the health insurance benefit levels shall not be reduced below current levels, which is January 1, 1983.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Dawson, just a moment, please. Can we have order in the Senate, please. We have a long way to go this evening, and if we could have some order. Senator Dawson.

SENATOR DAWSON:

Under the present law, the Department of Central Management Services has complete authority to cut health insurance benefits. In 1981 the department made devastating cuts on employees' benefits and this year they tried further cuts which were narrowly averted. What we're basically trying to do is to hold the level of...for benefits for any State employee at the 1983 level.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Alright. The question is, shall Senate Bill 1256 pass, the veto of...to the Governor...veto of the Governor to the contrary notwithstanding. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are...the Ayes are 44, the Nays are 8, none voting Present. Senate Bill 1256 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding.

PRESIDENT:

On the Order of Motions in Writing, a motion on Senate Bill 1313, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Bill 1313 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator

Savickas.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I would ask that you join me in overriding the Governor's veto on Senate Bill 1313. 1313 has three parts to it, although the Governor's message addresses himself to only one part. The first part would absolve the Chicago Park District from liability for passive negligence for claims arising on and after 10-1 of '83. The other part...the other part refers to the ability of the park district to acquire from the State by lease the Broadway Armory and to use and acquire Federal funds to remodel and improve the Broadway Army...Armory. One-half of the armory would be used for recreation and the other half would be used for militia purposes. The real crux of the bill that the Governor addressed himself to, and I wonder if we can take his comments seriously, that his only purpose of vetoing the park district bill on the working cash fund is that the debt supported is by unlimited property tax levies. I am sure, as he had done in a hundred and sixty or seventy other bills, he...could have amendatorily changed that portion to suit his thoughts. But I would like to tell you and bring to mind that the General Obligation Bonds of the Chicago Park District as set out in the Park District Act, Chapter 105, Section 33-20, limits the park district's bonding authority in that Act to 2.3 percent, although my understanding is for other entities it is at five percent. The working cash fund...bond fund, the issue would be spread over a period of twenty years at a savings to the taxpayers of Chicago of between seven and ten million dollars. This would allow them to operate fiscally sound. The bonds, if issued, would pay off the park district's obligation to the Public Building Commission; one of the areas. I would sug-

gest that the Governor's Veto was in error. That the overriding of his veto will indeed save the taxpayers of the City of Chicago enough money, hopefully, to provide the recreational facilities that we all look forward to and expect in the City of Chicago. I would solicit your support.

PRESIDENT:

Any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Just a question of the sponsor, Mr. President.

PRESIDENT:

Indicates he'll yield, Senator Schuneman.

SENATOR SCHUNEMAN:

Senator, my...my staff analysis says a couple of things I wanted to ask about. First of all, that this would authorize an additional forty million dollars in bonds for the working cash fund without any referendum. Is that...is that true?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Yes, Senator, and the purpose of that is to put out the money so that we can operate instead of borrowing the money as we do now, constantly, at a cost of seven to ten million dollars over...over the next ten to twenty years.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Then the...our staff analysis also says that the Public Building Commission can also issue its own General Obligation Bonds and levy a tax to finance the bonds...again without referendum, but the thing that caught my eye was that there is no limit on that provision. Is...is that correct?

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

Senator, I don't know on the Public Building Commission's levy if there isn't any limit. Although in the bill...in...in the original bill, the...the...the words "unlimited" were removed. When the bill was amended into Senate Bill 13, evidently in the drafting, those words weren't eliminated; but what I'm trying to show, that in the Chicago Park District Act in Chapter 105, Section 333-20, that there is a limit of 2.3 percent in the Park District Act, and I'm sure that that...that limitation is effective whether or not the wording in the bill had been changed.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well, thank you...apparently, you're not sure whether that limit...there is any limit in there or not, but I guess the...the important part of the bill, as far as I'm concerned, is that there are two provisions in here that allow for expansion of government, issuance of bonds, raising taxes without referendum. So, I think it's important for those of us that are considered...are concerned about that kind of action to be aware that...that there are two instances of it in this one bill.

PRESIDENT:

Any further discussion? Further discussion? Senator Savickas may close.

SENATOR SAVICKAS:

Yes, Mr. President, I'm reading from our analysis on the original bill, and this is in Senate Bill 1313 also, that any bonds issued in concurrence with the Public Building Commission may not exceed the current overall bonding indebtedness of the Chicago Park District, which is currently...that limitation is 2.3 percent of the total assessed valuation of all taxable property in the district. I would ask your support on a favorable vote to override the veto.

PRESIDENT:

The question is, shall Senate Bill 1313 pass, the veto of the Governor to the contrary notwithstanding. 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? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 25 Ayes, 23 Nays, none voting Present. The motion fails. Alright, with leave of the Body, we'll move to the Senate Calendar, Supplemental No. 1. Senator Schaffer, are you ready? Senators Joyce and Macdonald and Egan. Senate Supplemental Calendar No. 1. (Machine cutoff)...Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes...yes, thank you, Mr...while everything is quiet and all the members are here on the Floor, I would like to remind them there's a meeting on Executive Appointments in Room 212 tomorrow morning at nine o'clock, and it's imperative that we start at nine o'clock sharp. Thank you, Mr. President.

PRESIDENT:

Alright. Yes, I would...I would echo that and say that we will open the Session tomorrow at ten, and by virtue of the workload it looks like we will be here the entire day. So, I would ask the members to indulge us. We'll try to get as much completed this evening, reasonably, as we can. On the Order of the Senate Calendar, Supplemental No. 1, on the Order of Senate Bills 2nd Reading, Senate Bill 1309. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1309.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

HB 2106
2nd Reading

Amendment No. 1 offered by Senator Schaffer.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, this is the bill that I mentioned earlier. Amendment No. 1 strikes everything after the enacting clause and then readds the CLF or Community Living Facility licensure language and adds two words. After the word "ambulatory" we add "or mobile" so that we can, in fact, use CLFs to house those people who are ambulatory and mobile that might happen to be in wheelchairs. Clears up a problem in several parts of the State.

PRESIDENT:

Alright. Senator Schaffer has moved the adoption of Amendment No. 1 to Senate Bill 1309. Any discussion? If not, all in favor indicate by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading is House Bill 2106. Read the bill, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2106.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Conservation and Energy offers one amendment...two amendments, I'm sorry.

PRESIDENT:

Amendment No. 1, Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. Amendment No. 1 is...first of all, I might tell you that it's been passed...the explanation has been passed out, it is on your desk. It is rather

lengthy, but the things that it does is that it...it assures the compact...it amends the compact, number one, and that is probably the...the most controversial part of the amendment is the fact that it does amend the compact. But it assures that there will be rotation of the host state. The host state, I might tell you, for anyone who may not know is...is the state that gets the dump. It assures that...that will be shared with other states at the end of a twenty-year period if indeed that host state wants to not do it any longer. The second part is that it shares...it guarantees that the liability will be shared. That is that whoever brings low-level radioactive waste to a site in a state, the liability will be shared by all of those states on down through the years. Also, it places a much stronger emphasis on source reduction, incineration, compaction, what have you, and also it reduces the focus on shallow land burial. Those are the main points of the amendment. I would ask that that amendment be adopted. I think that...I don't know whether or not we should join a compact. We have held hearings throughout the State in eight locations. We have had two hundred and seventy-seven witness slips. We've had...we've taken testimony from a hundred and forty-five people on this bill throughout and across the State of Illinois. We have had citizen input, I think, like no piece of legislation that I have been involved with. I...but I would ask you to amend this...or this compact, put it in a form that whoever would be chosen as a host state could live with and their residents would be assured of a safely run facility. I think that is the most important thing. Whether or not you vote for a compact is up to your own...that's your decision, but I would urge the adoption of these amendments to make this facility as safe as possible for the residents of whatever state this is put in. I'd be happy to answer any questions.

PRESIDENT:

Alright. Senator Joyce has moved the adoption of Amendment No. 1. There is discussion. Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President, Senator Joyce, and members of the Senate. First of all, I think that this is probably one of the most important pieces of legislation that we are going to be discussing, including the tax increases and the prison overcrowding and the transportation issues that are all facing us and coming together at one time, and I think that is indeed unfortunate. I don't think that there is a disagreement in terms of the protection of this State and in terms of providing the kinds of amendment that Senator Joyce has offered here to you today. I hope all of you received...because I sent to your offices and I specifically sent to the members of your...the Agriculture Committee a letter that gives you a brief background on Senate Bill 1081 and the companion bill that we're discussing here today which is the House bill...and they are identical bills, one started in each Chamber. The problem with this amendment is that in 1980...Congress passed a Low-level Radioactive Waste Policy Act which gave the responsibility for disposing of low-level radioactive waste to the states, and this law recommended that the states group together to form regional disposal facilities so that each state would not have to build its own disposal system. We have a Midwest Compact state, and that state is comprised of eleven states. There is a general bill that has been introduced in each state...as a framework bill for a midwest compact to consider, and not only consider, but to promulgate rules and regulations which will provide protection for the entire midwest in a very mobile society in terms of low-level nuclear waste. I think that appropriately while I cannot disagree with much of what Senator Joyce has placed in his amendments, my objection is that four of the eleven states have already passed the overall bill that was

presented to each of them and to their states in their original meetings; and if Illinois comes in at this late state, and I will say that the original date for starting to promulgate rules which have to be in place by 1986, so we are already behind time at this particular point, it will take five years for us to complete construction of whatever systems we decide to use to control and dispose of low-level nuclear waste or to contain it.

END OF REEL

REEL #4

SENATOR MACDONALD: (CONT.)

And I am afraid that if this amendment or any amendments go on the original framework bill, which is much like a constitution and a guideline and does not provide for the details which are to be left up to the commission itself which is formed by those states who agree to go into the Low-level Nuclear Waste Midwest Compact, and if we come in with a litany of amendments such...as contained in this one amendment, I can assure you that I do not think we will be well received by the states of Michigan, Minnesota, Iowa and Indiana who have gone to great lengths and who have passed their compact framework bill without amendments and expect to start negotiating on the 27th of October to do exactly what these amendments do. If we would pass in this Senate the framework bill which has been passed overwhelmingly by the Illinois House and sent to us, we would, indeed, be able to take this information that Senator Joyce has thoughtfully put together, we would be able to take that to the conference which will begin its work on the 27th of this month. We have few alternatives; we are one of the highest State...we are one of the states with the highest level of low radio...nuclear waste, and as such, we really have very few alternatives. We can join a compact and hope that by, in good faith, joining such a compact we will possibly have another state willing to share with us the disposal of this nuclear waste. It can be injected, it can be buried underground, it can be buried above ground, and it can be incinerated. And it is not necessary for one state to have to do all of those things. We could divide up and could suggest and work with the other states and possibly come out with that alternative. The other alternative would be for us to

go with this package or...and other amendments that other members of the General Assembly, and particularly here in the Senate, might have; and we would say, well, if you will accept what we in Illinois believe to be the way to go because we are the largest generator in the Midwest Compact, and we would volunteer to be the host state. In good conscience I must tell you that I cannot be a part of automatically volunteering my State to take such a serious step. The third alternative will be for us to go it alone, and that will be forever more for us to have to take our waste. Now there is much talk about the fact, well, further down the road we could join a compact, but I will tell you that the compacts are being formed now and one of the parts of the main framework bill is that you can, and that they probably will, reject other states that want to get in. They can refuse other states coming into the compact. So it's a vitally important issue for Illinois that generates so much low-level nuclear waste. So, I submit to you that on the basis that I have given you and you have also received on your desk a memo from the Illinois Department of Nuclear Safety which clearly points out some of the reasons why it is imperative for Illinois to take action and to pass this bill without amendments as the House responsibly did and to go with the Midwest Compact and solve our problems there, go to the bargaining table with them with amendments, which I have no objection to, I do not, I do not feel that these are capricious amendments nor...are they amendments that are not needed, but I think that these should all be a part of the negotiations of the Midwest Compact itself. And so I would urge you to ask your questions of Senator Joyce regarding this amendment, but that we would reject this amendment, which was passed last night after a long and hard days work here on the Floor of the Senate. The amendment was passed and I do hope that you will reject this amendment and other

amendments regarding this compact, because I think it puts Illinois in a precarious position where we will either go it alone or we will automatically become the host state.

PRESIDENT:

All right. There are six additional members who wish to discuss the motion to adopt Amendment No. 1. I'd ask the members to please respect the time of the others. Senator Rigney.

SENATOR RIGNEY:

Sponsor yield?

PRESIDENT:

Sponsor indicates he'll yield, Senator.

SENATOR RIGNEY:

I'd like to approach this from a practical standpoint, if we can. First of all, am I correct that there are potentially eleven states that could be in this Midwest Compact? Is that...I think that's the number? Okay?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, it could be any number...in the midwest, eleven, thirteen, seventeen originally.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

And it's my understanding four, namely, Iowa, Minnesota, Indiana and Michigan have already made the decision. Is that correct?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

That's correct.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Now we're going to attempt here in the Illinois Legislature to do something a little different, we're going to attempt to make some amendments. Which then means that we're going to have to go back to those four that have already made their ratification, in addition to all those that are considering it, and attempt to convince them that Illinois is on the right track with the proposed amendments. We're talking about twenty-two separate legislative bodies...when we're...we're talking about this and we're going to find agreement on amendments that are going, I assume, be forthcoming from all of these various states. Let me give you one example and you might want to comment on this, Senator Joyce. I notice one of the provisions in your amendment says that the states are going to have to waive sovereign immunity. Is that basically what your amendment calls for?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Well, that's a debatable point. I...I think that it's entirely legal what we are doing. What we...the reason we are doing it, you know, just...just off handedly say we're going to waive sovereign immunity, what we're doing is sharing the liability. Now, it seems to me that that is eminently fair if we are going to have...if this State of Illinois were to be the waste...the...the...host state, I think that we want those other states to share in the liability. Witness Maxey Flats in Kentucky, it cost the State of Kentucky a million eight hundred thousand dollars a year, I believe it is, to take care of that facility that is now leaking, and hardly any of the waste came from the State of Kentucky. We don't want that to happen to us; we don't want that to happen to any other state that would happen to be the host state.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Well, I'd point out to you that your amendment very definitely makes the statement that the party states hereby waive the defense of sovereign immunity. Now that isn't any particular problem, I think, as far as Illinois is concerned because in Article XIII of our own Illinois State Constitution we, in effect, have waived sovereign immunity. Are you aware, for instance, of the four states or any of the other states that might potentially join? Do they have a provision in their Constitution similar to ours on the subject of waiving sovereign immunity?

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

I would think, Senator, that the...their general assemblies would be concerned about protecting their state from any liability that a host state might incur...with regard to a low-level nuclear waste site. I think that they are going to be concerned about what happens, who's going to pay for this. That is of prime importance to protect the health and welfare of those people of that state. I think that rather than saying we're, you know, talking about the sovereign immunity and so forth is...is secondary to the health and welfare of the people in the State.

PRESIDENT:

Senator Rigney.

SENATOR RIGNEY:

Mr. President I realize I've got to bring my remarks to a close, I'll finish it up this way. We didn't have time to check out all the states potentially that could be in here. We did check out the four that have already ratified, they do not have a provision similar to Illinois. So I assume basic-

ally what we're going to have to do is go back and convince everyone of those legislative bodies, all twenty-two that we've talked about, that this is a good idea to...to waive sovereign immunity. That's only one problem when you get into amending and...and...and engage in this type of activity. I'll wrap up my remarks merely by saying this that I think that we're at the crossroads here on the whole issue of whether or not we're going to be a part of any Midwest Compact. Sometimes we have a tendency on 2nd reading not to pay too much attention and not to get too excited about things, and we'll take care of everything on 3rd reading with the final decision. Well, I suggest to you that we're going to be making really the final decision here this evening as to whether or not Illinois will ever be part of a Midwest Compact. Now if you don't think it's a good idea, perhaps then you will want to join Senator Joyce and others and you will support an...an amendment attempt of this kind. But keep in mind, if we do make that decision, we're not going to get away from the question of whether or not we're going to have a nuclear waste disposal site. We very definitely will have a site. And since we generate forty percent or more of the total waste in that potential compact area, we very definitely will be in the disposal business. We cannot escape that fact. So I guess the question is whether we feel it's in our interest to play ball with the other states. I happen to think it is and that's why I would suggest that perhaps we ought to...to ride along here with the...the legislation as it came from the House and to reject Senator Joyce's amendment.

PRESIDENT:

Further discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President, I would rise in support of this amendment. One of the main purposes of the amendment to

which I contribute it is to require that the...the Governor's appointee to the thirteen-member compact board, assuming all thirteen states join, be made with the advice and consent of the State Senate. As it is now, the appointment would be totally controlled by the Governor without any input from any one of us. The Governor could put somebody in there who does not represent our wishes and has no interest in protecting us here. In addition, another amendment within this amendment is one to not allow for a continuous...a state to be continually...the host of the compact. In other words, it's a roulette provision, different states would be host from time to time. They could not designate Illinois as the host year after year for the twenty-year cycle. The host is to be a host for twenty years, then they pick a new host. Each state has one vote out of the thirteen states in the compact. There is nothing to prohibit the...the group from picking the same state again. I think that the amendments are in order. I think that it's necessary for us to not jump willy-nilly into this compact. As Senator Rigney pointed out, sometimes on 2nd reading we don't pay attention to the amendments and we go along for the ride. Senator Rigney, I would suggest to you that if we do not amend...amend this, we are going along for the ride with the Congress of the United States and I don't think that's the right thing to do. I think that we have an obligation here to protect the citizens of the State of Illinois, and the testimony to our hearings throughout the State has been that the citizens of this State are afraid of this compact. They do not want to see us enter into this compact and give away all rights that we have. If we enter this compact, you can write off every single environmental bill passed in the Senate and House of Representatives since 1818 in the State of Illinois because they have no effect at all on this compact. This regional government supersedes all State laws. And if it does supersede, we can forget about

the laws about no land burial, forget about Senate Bill 172 and local zoning and local siting because they're out the window. The entire rules would be made by the compact authority itself whose membership will be appointed from Illinois by the Governor and we have one member and he has one vote. So I would urge the adoption of this amendment. Thank you.

PRESIDENT:

Further discussion? Senator Schaffer.

SENATOR SCHAFFER:

Senator Joyce, through no fault of yours or any of the previous speakers, many of us here are not up to speed on this subject. You...you committees have...your committee has diligently held hearings and you are extremely knowledgeable. Some of us, however, perhaps haven't done our homework as we should, I'll admit it, I don't know if anybody else chooses to, and the facts and concerns on this subject are just now surfacing. I see from the epistle we got from one of the departments that we are facing a 1986 deadline, which says to me we have a little more time to operate. So my question to you is, how do I detonate this bill? How do I kill it so that we can wait a few months and get some more facts so more than a half a dozen of us on the Senate Floor can go home feeling we may have done the right thing? If we put your amendment on, are you going to vote for the bill? If we kill your amendment, does that kill the bill? I'm just going to be terribly up-front with you, I want it dead right now; and I'm afraid if I vote for your amendment, which makes a lot of sense, that you're going to put a bunch of votes on this bill and we're going to have a bunch of technicians go to a meeting who probably think it would be neat for Illinois to have the biggest, largest radiation storage area ever thought of or conceived by the mind of man. So I get a little nervous about those people representing us, to be honest with you. If we put your amendment on, does that pass the bill, or if

we kill your amendment, does that mean you guys are going to pull off and we can get a few more months, sleep easy and study this thing?

PRESIDENT:

Senator Joyce.

SENATOR JOYCE:

Well...speaking to the first part that...you may have not have done your homework. We have done our homework very, very thoroughly on this bill and on the compact, and the more...work we do on it, the more confused we get as to whether or not we ought to join a compact, that is my feeling. We have heard from experts on both sides, all three sides of the issue, as a matter of fact; people that want to join the compact, people that want to amend it and then join the compact and people that don't want us to join a compact at all, I'm not sure. I think...it is my feeling that if we do not amend this compact and put the provisions in that...that I'm suggesting, I am not going to vote for the bill. But if we put them in, I'm going to vote for it, with reservation. I am, as I think every member of the committee is, afraid of this thing and, you know, I...that's...that's as honest as I can be with you. It is a very, very delicate situation. You know...I...I'm afraid we will be the host state for the first twenty years, and at that time, the other states are going to say, well, you know, you did your share and you took our waste, that's fine, now we quit. That is my honest feeling of what's going to happen if we join it. You know, I didn't answer your question, I don't think there is an answer to it.

PRESIDENT:

Senator Schaffer.

SENATOR SCHAFFER:

You...you did answer my question, the best way to blow the bill up is to kill your amendments even though they may

have a lot of merit to them, and I hope that that's what will happen and we can get a few more months to look at this thing, because I share all of your reservations and I have just been studying it for the last week and I...I'm not anywhere near as confused as those of you who studied it for several months. But it seems to me that maybe several months from now after we've all studied it an equal amount, we'll all be confused.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Well, first of all Senator Schaffer, I...if you're afraid of this thing you better vote for his amendment; because if you don't, we're going to pass it as, the House has already passed it, and it's going to go to the Governor's Office and he's going to sign it. He wants to get into this compact in the worst way. Now there are some of us...there are varying degrees in this Body as to our feelings about getting into a compact or the compact that's being talked about. As Senator Joyce very accurately described that the fact that all of us have...a great fear about this because it's something that has to be dealt with. The 1986...January 1986 deadline that you spoke of has already been passed. There is absolutely no way in...on God's green earth that the 1986 deadline can be met. The Feds when they passed the legislation requiring the compacts said that you've got to get these compacts in place and have the site open by January 1, 1986. It takes five years to do the environmental impact statement and to get the site up and operational. So we passed that deadline as of January 1, 1981, before the Feds had even passed the legislation, I suspect, or about the time they had passed the legislation. So that...that deadline is some...is some...false figure that they pulled out of the air in the Congress that doesn't mean anything except that that's the

day that the State of Washington and the State of South Carolina will say to the State of Illinois, we're not allowing your low-level nuclear waste into...into our states any longer. Senator Schaffer, there are a lot of us that have done an awful lot of work on this. It is very significant, in my opinion, that the Department of Nuclear Safety in the State of Illinois, the sponsor of the bill, nor the Governor's Office has ever attacked the substance of Senator Joyce's amendment. It has always been the procedure that they have attacked; the procedure being four states have passed the compact enabling legislation. My goodness, if we don't pass it, just think, those four won't want to play ball with us anymore. Well, it's my concern that we pass legislation that indicates that a compact will say what we, in the State of Illinois, want it to say. As Senator Joyce again very correctly pointed out, once a compact has been ratified, you and I, the elected representatives of the people in the State of Illinois, won't have one word to say about it, because an interstate compact is senior to a State Constitution, under the Federal Constitution and under Federal case law. We had better make sure this thing is worded correctly to protect the State of Illinois. Now if Michigan doesn't want to play by the rules as we see fit to lay them down, if Indiana doesn't want to play, and if Iowa doesn't want to play, then so be it; they can form their own compact. Let me tell you about the State of Michigan. They have a law on their books that says any interstate low-level nuclear compact that's ratified, if they decide to make Michigan the host state, we're automatically out. Now if you talk about bargaining in good faith, I don't call that good faith. There are eight states out of the twelve that we're talking about in the midwest, eight states that still have not ratified. We can write this thing the way it should be written, send it back to the House, assuming the House would agree with the

way we have written it, then send it to the Governor and assuming the Governor would agree, they can go to those conferences and they could say...they can say to those four states who have ratified, here's the way we think the rules of the game ought to be played by which we ought to play the game. If you will cooperate with us, we will bargain and negotiate under these rules. If you won't cooperate with us, there are still seven more states besides the State of Illinois who have not ratified. There is nothing whatsoever to keep us from forming a compact with those eight states. For that matter, there is nothing whatsoever to keep Illinois from going it on its own. Now, we may or may not want to do that, that's a very questionable thing. We generate forty percent of the low-level nuclear waste that comes out of these twelve mid-western states. Senator Joyce thinks he has figures that perhaps indicate that it might be economical for Illinois to go it on its own. I...I'm not sure about that, I don't know if he is, but he thinks that at least it's possible. All I'm saying is, if you are afraid of this compact, as I have been from the first day when Doctor Gustafson who was the only person involved in the negotiation for the State of Illinois with these twelve states, when he started saying to the other states Illinois probably will volunteer to be the host state and the Governor's Office was horrified and shocked and chagrined and scared and...and everything else, from that very first day I have been afraid of this thing. It's going to happen to somebody. Senator Joyce's amendments...amendment addresses a lot of...most of the fears that those of us that has been intimately involved with it...have. We think that it builds in most of the safeguards for the State of Illinois that are necessary. We think we're going to help the Governor, we're going to help the...the...the citizens of Illinois. If you're afraid of this thing, you ought to vote for his amendment because then it's got to go

back through the House, assuming the...the...the compact passes here after we put the amendments on, it's got to go back through the House. My guess is, and it's just a guess, but you know how things operate around here, my guess is, they're not going to accept some of these amendments, we're going to end up in a Conference Committee. There are...by the way, most of the environmental groups in the State are in agreement with Senator Joyce's amendment. There are some, some of the anti-NUKES organizations and some of the other environmental groups that don't want a compact at all, period, in any shape, way, form, manner, method. I don't think that's responsible, but we're not arguing that at this point. What we are arguing is, Senator Joyce's amendment is responsible, substantively. Now if the Department of Nuclear Safety doesn't like the procedure, that's their fault; they should have involved us in the negotiations from day one, which most states did, by the way, they involved their...their...their general assembly in the negotiations. They should involve the people of the State of Illinois in...in the discussions from day one. The only public discussion that has been held on this bill outside of the press is the discussion that took place this summer when Senator Joyce took the Agriculture Committee across the State of Illinois holding hearings. It's a pretty poor way of dealing with public policy of this magnitude. Thank goodness the public has had a chance for input this summer; otherwise, this thing was going to sail right out of here had the Department of Nuclear Safety had...had their way. I would...suggest to you that Senator Joyce's amendment is a very good one. If you like the substance of the amendment or if you're afraid of the compact itself, whichever way you feel, you ought to vote for the amendment.

PRESIDENT:

Further discussion? Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I don't know in...in the interim when Senator Joyce first made his plea for this amendment. I didn't note the seriousness that has fallen over the Senate as it has right now, because I think you're beginning to realize how critical an issue this is. If we fail to accept the amendment, we fail to protect the taxpayers of Illinois from now to eternity from the financial and legal responsibilities in handling low-level nuclear waste. We would be setting ourselves up, Ladies and Gentlemen, for millions of dollars into handling of this waste that will be our responsibility as a host state. We will be setting ourselves up financially and legally for all the responsibilities that can be incurred from what happens in the handling of low-level nuclear waste. Now only four other states, only four other states, have ratified this out of a possible eleven to thirteen, now that's not impressive to me. That's been bandied around here, talking about four other states have ratified it. You've heard what Michigan says about it, no one of the guys has ratified it. They won't handle it, they will opt out. Now I voted against the bill last night because it needs more work. I voted against it coming out of committee. I wasn't satisfied that enough changes had been made. It's a very vague bill, many loopholes, lacking specificity. Senator Buzbee and I will offer an amendment after this one that will, I think, improve it even more, and I'm glad to be a part of that. I'll be honest, I don't trust the Federal Government. Now we keep talking about let the Federal Government do this, let them be the big dogs in the handling of all this; but I don't trust them and I'll tell you why, they've lied, they've distorted, they've hidden the truth against Agent Orange. I've worked hard with veterans who have played a part in atomic tests only to find the government won't help them when their children are born with

mutations and disformed. They don't even help those veterans that played a part in the atomic test. Don't feel, I beg of you, to feel that you have to rush through this pell-mell. The other states have more or less targeted now, mind you, they more or less targeted Illinois as being the host state for the dumping. I want to be sure and emphasize that once we are chosen as a host state, it is for twenty years, twenty years; and if we don't amend it, we go in this compact testimony, go into this discussion with a large potential, if we are chosen of being the host state the second twenty years without a chance to renege on that. This is one of the most critical issues of our time, it deserves amending. It...if we improve our position by amending it, then the will of others over our voting will not take place. Thank you.

PRESIDENT:

Further discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. This is a very substantive issue and...and one that we all should know more about than we do, I guess. I...sometimes I think I know more than I really want to know about this because I have the distinction of having in my district the only low-level radioactive waste experiment that the State has embarked upon. Other times I think I know absolutely nothing about the subject. But I have a couple of questions of the sponsor. I have the feeling, Senator, that...that we may be straining a little bit over this compact at perhaps the wrong time. It's my understanding that if we approve this bill unamended that this Legislature under State law will have one additional opportunity if and when an agreement is reached between these states. In other words, am I not correct that if the compact is formed, before we can go into operation that the...that this General Assembly must approve that final plan?

PRESIDENT:

Senator Joyce.

SENATOR JEBOME JOYCE:

No, that's not correct. The Governor is the one that...and the ninety day...no, all right.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

It...it was my understanding that that's what we were doing with Senate Bill 1259.

PRESIDENT:

Senator Joyce.

SENATOR JOYCE:

That was the management plan.

PRESIDENT:

Senator Schuneman.

SENATOR SCHUNEMAN:

Well,...admittedly it was the management plan, but...but as I understand it, the...the management and the actual operation can't begin until this General Assembly approves it. Now, I think that's a question that we all need to have answered. I...I...I have some concern as to whether, you know, we really have the answer to that or not. Another point, Senator, that I'd like to make with your...with the amendment, I...I know it's your intention that the host state could not be the host state for the second twenty years, but as I read your amendment, I...I don't...it doesn't seem to do that. On page 3, line 11, it says, "In accordance with these procedures and criteria the commission shall identify a host state." It doesn't say that it's got to be a different state, it just says you shall identify a host state for the development of a second regional disposal facility. You got to do that within five years and so on. But...but that does not seem to me to say that if Illinois is chosen that you can't be chosen as the host state again, or if South Dakota

is chosen that they can't be chosen again. Could you tell me where it says that specifically?

PRESIDENT:

Senator Joyce.

SENATOR JOYCE:

All right. In...in Article V, page 11, line 35, "Any party state which becomes a host state for a regional...disposal facility cannot be designated by the commission as a host for an additional regional disposal facility until each party state has fulfilled its obligations as determined by the commission to host a regional disposal facility."

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President and Ladies and Gentlemen of the Senate. I think the Body should know that Senator Joyce has been deeply committed to this issue for some time, and I commend him for initiating the hearings last summer. I wasn't able to personally attend every one of them but I thought much of the testimony that we got was very good. I was indeed surprised and shocked, however, at some of the other testimony that we got, and I am convinced that many of the people who were there speaking in opposition to this compact are going to speak in opposition to any...anything that comes down the pike. They are opposed to nuclear energy in all forms. They think that if we...ignore the situation that it will simply go away and that simply is not going to happen. We've talked about fear this afternoon, and I would submit to this Body that the only fear we have is that if we do nothing, and I think that's the area that we have to be concerned about. Senator Schuneman mentioned the fact that he had a site in the State that...that really got a lot of national attention. This compact...this bill that we're dealing with today will eliminate the Sheffields and

that's what we're trying to do. One of the things that legislative bodies are...are criticized for is from time to time being too specific. And I think that when we're dealing with other states as we are with this compact, we have to be very careful that we don't get too specific and we destroy the whole thing, and that's what we're trying to do. We support in concept the amendments that Senator Joyce has offered, and we've talked about this privately, but we think there is a better way and a better time to address the issue. The time is short. We begin the management plan work in just a few days. These specific issues can be addressed at that time and will be addressed at that time. I am confident that if Illinois becomes a host state, the Governor at that point has a ninety-day veto power over that decision. If he is not happy, if we are not happy, we can at that point...that point make that point known, and I'm confident that we would veto the compact at that point and would not become a host state. The time is short. The time is now to address the issue, and I would...would suggest defeat of these amendments.

PRESIDENT:

Any further discussion? Senator Schaffer, did you have your light on? All right. We have two for the second time and then we'll...

SENATOR SCHAFER:

Just as briefly as I can, Senator Joyce, you're right; the more you learn about this, the more confusing it is. Facetiously I'd be prepared to suggest to you that we'd vote for your amendments if you'd promise not to join us in not voting for the bill, but I guess that won't do it. Frankly, I thought Senator Maitland's logic was going to conclude just the opposite the way he did. I have to admit, I'm...I'm frankly at a loss. My concern is, I think if this bill gets amended and gets on 3rd reading, it's going to get passed and, as Senator Buzbee has correctly pointed out, one...late

one night this...in the next few weeks we're going to see Conference Committee report, bang-bang-boom, and the next thing you know is picking up the local newspaper and finding out, guess what, your area is going to be a site for xyz-type disposal. I'm not prepared to do that and I don't know how to...to stop that at this point until we get a better idea where we're going. Your amendments and a couple of the others I've seen and heard about strike me as very good, but I'm concerned that they lay the groundwork for the speedy passage of this thing, and...well, I guess I'll learn a little more and I'll be...I'll be so frustrated I won't know how to push my button.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President. Several things have arisen during the arguments that I think should be addressed. First of all, we have totally ignored and no one has spoken about the companion bill sent over from the House sponsored by Representative Barbara Currie and that's House Bill 2234. And that companion bill is absolutely essential to Illinois and its passage is urgent. That bill does spell out in detail what Illinois must do to protect itself even if we go it alone. One of the previous speakers talked about twenty years and maybe twenty years if we join the compact again. I will say that if we go it alone, sixty percent and possibly more as growth goes on in this State in terms of hospitals, industry...we hope there will be more of it. We hope that there will...not of the low-level nuclear waste, but certainly we hope for those industries and businesses, we're spending millions trying to attract them. But the Currie bill is a very, very important bill. We may have twenty years if we are the host state. I have spoken to members of the General Assembly and their staffs of the current states, the

four states that have ratified the compact. And to the people I have spoken to, at least, there is no clear indication that they expect in spite of our high generation of low-level nuclear waste that we will be the host state. Many things have to be taken into consideration; the hydrology, whether we're on faults that...are earthquake faults, which is true in southern Illinois and even in my area in northern Illinois; there are many technical things that have to be considered by scientists and by those who know where we shall site these sites. If Illinois goes it alone, and remember that it will be forever, that we will be taking sixty percent of the generated low-level nuclear waste in this entire area, and we will have to make accommodations and arrangements for burying that...low-level waste; and that's why the Currie bill is very, very important, because it spells out the rules by which we must go in order to take care of this waste...

PRESIDENT:

Senator, can you...

SENATOR MACDONALD:

...also, I will tell you...

PRESIDENT:

...can you confine your remarks to Amendment No. 1?

SENATOR MACDONALD:

...yes. Amendment...well, I...I just want to say that I do have an amendment to the Currie bill that will provide not just for the designee or the Governor to make the choice whether or not...we will join the compact, but in the ninety-day period that we have to decide whether we will or will not join, it will come back to the General Assembly in...in terms of designees of the President of the Senate, the Minority Leader of the Senate, the Speaker of the House, the Minority Leader of the House and a designee of the Governor's. That amendment is prepared and I would like to put it on the Currie amendment and she has agreed to that. I

think that would be a safeguard and would give the General Assembly more input than having just the one designee as provided by Congress, not by the Governor of this State or anyone else but the Congress of the United States who passed this enabling legislation in 1980. It is really imperative that you think carefully about how you are voting. I am not critical of Senator Joyce's amendments, I merely say that they belong at the bargaining table where they are going to meet in Michigan on the 27th of this month, and these very issues that he is bringing that are so important very probably would be accepted if we would pass this bill unamended and be able to take this package to Michigan with us.

PRESIDENT:

Further discussion? Senator Buzbee.

SENATOR BUZBEE:

Two quick points, Mr. President. Thank you. Senator Schuneman, I think Senator Macdonald has just answered your question. Once we ratify this thing and it goes to the Governor and he signs it, you and I are out of the process forever. If you take the...the amendment to the other bill that Senator Macdonald just spoke about, the only folks in the Legislature that will have any say will be the four leaders in conjunction with the Governor...on...and that only comes into play once...if Illinois should be designated a host state, we have ninety days to opt out. Now you and I, my friend, are out of it once this is ratified. We have no say, a compact is senior and superior to the State Constitution. My second point; Senator Maitland said it very well, there are some things about this compact that he doesn't like, some things that need to be changed. What in the world is wrong with changing them on the Floor of this Senate? Why leave it up to twelve bureaucrats or political appointees from eleven other states? Why should we give up our right to protect the citizens of our State to those folks from eleven

other states when we can write that protection in right now in this bill? Senator Joyce's amendment ought to be adopted.

PRESIDENT:

Any further discussion? Further discussion? Senator Joyce may close.

SENATOR JEROME JOYCE:

Thank you, Mr. President. I...I...a lot of good points have been brought up here on the Floor, and as you can see, it is a...a very, very delicate thing that we're handling here. I might point out, Senator Maitland said that we can get out if we are chosen and that is in this letter from the Department of Nuclear Safety. Now,...we have ninety days to opt out. That could be two or three years down the road when the...the compact, you know, is formed and when these commissioners decide which state it's going to be, that will probably be two years from now. And if we opt out two years from now, then what's going to happen to the utilities and to the hospitals and to the universities? Then we're really in a bind. We won't have a site of our own that we can go it alone. We are behind the eight ball if we join up with this thing now without the amendments right now. We are putting all those people that are in favor of this...favor of it...of doing it right now, we are putting them in jeopardy and I think they're starting to realize it. If we don't do it right now, then we are bound to be the host state, just...the handwriting is on the wall and we will have no other option but to take it. So, I would ask you to go along with these amendments. We had a meeting in Chicago in August, I might tell you, and we had Representatives and Senators from these eleven other states; and at the end of that meeting I polled them, and the four states that have now ratified the compact, not one of them said that if Illinois changed it that they would not go along. They wouldn't like it. They don't want

to have to go back to their state and say, well, we didn't read the compact very well and in Illinois it seems that they read it better and they put some things in there that we've got to...you know, that make a little sense. So, they're not going to like it but they're going to have to do it, and they did not say they would not do it. So I ask for adoption of these amendments.

PRESIDENT:

All right. Senator Joyce has moved the adoption of Amendment No. 1 to House Bill 2106. Those in favor of the amendment will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 43, the Nays are 13, 1 voting Present. The Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2, by the Committee on Agriculture, Conservation and Energy.

PRESIDENT:

Senator Joyce. Senator Joyce, on Amendment No. 2. I beg your pardon, Senator Welch.

SENATOR WELCH:

My amendment. Thank you, Mr. President. This is a one-line amendment to the compact, and the amendment says the following, "The management plan shall prohibit the disposal of waste by land burial or underground injection well." The purpose of this amendment is to try to get around another Sheffield which we currently have in the State of Illinois. The history of land burial of waste in the State of Illinois has been a sordid one. We don't have a land burial system that we can truly trust or that truly works. I think it's necessary for us to impose upon this compact the requirement that the low-level nuclear waste be stored above-ground and not be allowed to be out of sight and raise the potential of

getting into the water supply. The reason for this amendment is because there is no prohibition on this compact; no State law will apply, as you just heard in the argument; the compact supercedes every State law. When there's a conflict, the compact law will apply. I think that this is an issue that we should take a stand on. In the past, we have taken a stand that we want to eliminate the land burial of waste. I think this is consistent by applying the same rule to the waste compact system. I think that what's good enough for the State of Illinois is good enough for the Federal created regional system of government they have just adopted. And I would move the adoption of the amendment.

PRESIDENT:

All right. Senator Welch has moved the adoption of Amendment No. 2 to House Bill 2106. Discussion? Senator Maitland. Senator Joyce. Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. I...Senator Welch, you put all of us in a dilemma. The problem with this is, and there are several, but one thing I want to point out to everyone that at these hearings we had around the State, everyone, virtually everyone is afraid of shallow land burial. The people of this State don't like it, it doesn't work and everybody knows it. The problem is, we were at a meeting in Chicago a couple of weeks ago and a representative from the NRC was there and he says we don't...we have never considered anything other than shallow land burial. He did not say that they would not go along with it. As a matter of fact, he said it would not be economical, and that made me a little angry that the NRC is worried about the economics of the thing, they're supposed to be worried about the safety. But technology, it seems...you know, there's a problem there. And I don't know what the NRC would do...this...if...if we put this amendment on there, if they would ever

accept...the...this in a compact. I don't know what Congress would do. I suspect that they would strike this, and I believe Congress can do that. You know, after all of our deliberation here, Congress can change this thing anyway they want to, that's another scary part of it; but be that as it may,...this poses a great dilemma, and I have just one question for Senator Welch. If we adopt this amendment, are you going to vote for the bill?

PRESIDENT:

Senator Welch.

SENATOR WELCH:

I don't think that's...I'll be glad to answer it, I don't think it particularly makes any difference as to this amendment but, no, I don't intend to vote for this, and I'll tell you why. The Federal Government has solved the problem of low-level nuclear waste by saying the states take it upon themselves and form a compact, that way there...it's washed out of their hair. What the Federal Government should do, and what I think they should end up doing is...if states don't join it, they can make the decision they should have made and put this out in a western state that doesn't have the rainfall Illinois does, doesn't have the geological problems along with the faults that Illinois has, somewhere out Utah, Nevada...North...New Mexico would be a good place. And the reason is this, this is a Federal system of government. You know, everybody is talking about states' rights but actually this is a Federal system of government and the Federal Government should make that final decision. The decision they have made is to pawn off this problem upon the states, and I think that we should take a stand and say, hey, you guys decide, that's why we have a Federal Government is for you to resolve Federal problems. It makes no sense for populous states to have this waste in their borders when it could be in a nonpopulous state, and that's one of the purposes of

states entering into governments.

PRESIDENT:

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President. The hour is getting late and we're all getting tired of the debate, but this is a perfect example of why we have a problem. Now, Senator Welch, you...you totally contradict yourself. You introduce an amendment like this prohibiting shallow burial and then in the next...next voice, you say it should be out in the west someplace where it won't affect us. Now, I agree, South Dakota is a prime example of a...of a state that might be a host state and use shallow burial. You...you eliminate that possibility with this amendment. Now I don't think we want to do that, and this again is an example of why we have a problem with this. Let's let the thing work and work right. I happen to agree that there's a lot of potential for above-ground storage, I agree with you. But to say that we can't do it below-ground will simply prolong the problem and we will not have reached an objective. And I think we should defeat this amendment soundly.

PRESIDENT:

Further discussion? Senator Macdonald.

SENATOR MACDONALD:

Thank you, Mr. President, I'll be very brief. The main problem with this is, if we feel that we have been impacted by acid rain suits from Canada, just imagine what it would be like in Illinois where we have sixty percent of the low-level nuclear waste and a tornado would hit in certain areas and totally blow low-level nuclear waste across not only this State but surrounding states as well. I am not above...saying that we should have certain safeguards for above-ground burial but to totally eliminate the possibility of underground burial is not realistically proper because

there's too much technology in process at this particular time, and I think we could have some grave problems in certain parts of Illinois if we accepted this amendment.

PRESIDENT:

Futher discussion? Any further discussion? Senator Joyce, do you wish a second?

SENATOR JEROME JCYCE:

Yeah. I would just like to point out that in the...the first amendment that...that it states that it is the policy of the party state to enter into a compact for the purpose of ensuring the ecological and...economical management of low-level radio active waste including the prohibition of land burial of liquid waste, including those wastes that have been absorbed or absorbed into other material, hydrocarbon solvents shall normally be incinerated unless otherwise prohibited by regulation. This takes care of some of the problem; admittedly, it does not do what Senator Welch's proposal would do.

PRESIDENT:

All right. Further discussion? Senator Welch may close.

SENATOR WELCH:

Thank you, Mr. President. A policy statement in a preamble to a bill is...is great, only it has absolutely no effect. I think that the time has come for us to force the NRC to start looking at alternatives to shallow land burial. Senator Joyce has pointed out that at the commission hearing, they said, they have not considered this problem. Well, when are they going to consider it? Senator Macdonald talks about alternate technologies for disposing of this waste. Well, if the NRC is not considering alternate technologies, when are they going to happen? This is another wish; we wish it would come true, we wish the waste wouldn't land in Illinois. All we're doing is wishing and we have the opportunity to act, and I think that we can act and send a message to

both Congress and the NBC by passing this amendment. Thank you, Mr. President.

PRESIDENT:

All right. Senator Welch has moved the adoption of Amendment No. 2 to House Bill 2106. Those in favor of the adoption of the amendment will indicate by voting Aye. Those opposed will vote Nay. The voting is open. All voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 15 Ayes, 36 Nays, 1 voting Present. Amendment No. 2 fails. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Buzbee and Johns.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

Thank you, Mr. President. This is an amendment which much discussion was...was given to this concept throughout the course of the hearings that Senator Joyce held across the State. It is a...an amendment which allows public input, and let me just summarize what the amendment says. First of all, that all meetings of the commission...and by the way, understand that the commission is the governing body of the compact, they are the ones that make the decisions. So all meetings of the commission and its designated committee shall be open to the public. A roll call may be required upon request of any party state or the presiding officer; public document room shall be established in the capitol of each party state for on-site viewing and copying and to fill requests by mail of public documents of the commission by any

person. Such a public document room shall also be established in the county seat of any county in which a regional disposal facility is located. Another summarization, the commission shall establish guidelines for the acceptance of donations, grants, equipment, supplies, materials and services. It goes on to say that any person who is or may be adversely affected by any action of the commission may obtain judicial review of such action in the court of...jurisdiction by filing in such court a petition for review within sixty days after the commission's action and that there shall be...public hearings for comment. The commission shall conduct one or more public hearings in each party state prior to the adoption of the management plan, and the final...the final say-so, and Senator Schuneman this goes again to the question you raised earlier, this amendment says that the regional management plan shall not become effective...this is the management plan...shall not become effective until ratified by each party state Legislature. This is simply a case of allowing the public to have input. It does not allow them to stop the process; it allows them to have input, to be a party to the documents and to the management plan. It allows them...the...it allows them to have judicial review of any action if they are personally going to be affected. It is nothing more, it seems to me, than a reaffirmation of the very principles upon which this country was founded; that is, that those who are governed shall have an opportunity to talk to those who are going to do the governing. I would submit to you that this is a good amendment and I would ask for its adoption.

PRESIDENT:

All right. Senator Buzbee has moved the adoption of Amendment No. 3 to House Bill 2106. Discussion? Senator Macdonald.

SENATOR MACDONALD:

Well, I had my hand up for a point of inquiry. I don't seem to have that amendment distributed on my desk. Is that required by our rules?

PRESIDENT:

Well, I'm sure we can make a copy available...while the discussion is going on. Senator DeAngelis.

SENATOR DeANGELIS:

Well, I...I was going to reaffirm, since Senator Buzbee is really concerned with the democratic process, that it's rather undemocratic that nobody even has seen this amendment on our side. I don't know if anybody on your side has even seen it. Our staff people haven't seen it. Nobody even knows what it looks like.

PRESIDENT:

Senator Buzbee.

SENATOR BUZBEE:

It's a good point, Senator DeAngelis. I'm also concerned with the Republican process and we will certainly make sure that you get these amendments. It was not an attempt...I talked at length yesterday evening in the hearing about the fact that I was going to offer an amendment to this effect. I...I apologize for not getting the specific language to you, but we are having it distributed to you right now.

PRESIDENT:

Senator Maitland. Oh, okay. Let the...let me...does...are the other two amendments...there are two subsequent amendments, have those been distributed? Yes, Senator Buzbee.

SENATOR BUZBEE:

Mr. President, it...it is not my intention here to...to...to...to try to go around the process. Yesterday evening Senator Macdonald indicated...because I didn't think I would have this amendment ready by today, as it turned out I did. I didn't think I would have it ready for today and I

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asked Senator Macdonald in...in the committee meeting yesterday evening, if we did not have it ready until Thursday morning, if she would be willing to bring the bill back from 3rd reading to 2nd reading for the purpose of additional amendments; she indicated she would. If there are other amendments besides mine, perhaps it might be best to take mine out of the record now and the others and bring the bill back from 3rd to 2nd tomorrow morning for a discussion of all of those amendments at that time.

PRESIDENT:

That...that...suggestion seems to meet with some favor across the hall. All right, take amendment....Amendment No. 3 is withdrawn as are the...following two, so we now have a bill with one amendment on it and one having been beaten. Further amendments? If not...Senator Schuneman.

SENATOR SCHUNEMAN:

Inquiry of the Chair, Mr. President. Does that leave us open tomorrow for the filing of...many, many amendments or are we only going to consider these?

PRESIDENT:

If...if members wish to file amendments, they are...that is their right.

SENATOR SCHUNEMAN:

It's open season tomorrow then. Thank you.

PRESIDENT:

It is open season, that is correct. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. On the Order of House Bills 2nd Reading, House Bill 2234, Mr. Secretary. I'm assuming that...am I assuming correctly, you want this bill read? All right.

ACTING SECRETARY: (MR. FERNANDES)

House Bill...House Bill 2234.

(Secretary reads title of bill)

2nd reading of the bill. The Committee on Agriculture, Conservation and Energy offers one amendment.

PRESIDENT:

Amendment No. 1, Senator Joyce.

SENATOR JEROME JOYCE:

Yes...this is the sheet right here that explains Amendment No. 1. It is the companion legislation...might I ask leave of the Body right now that I...my name be added as a hyphenated sponsor on this bill?

PRESIDENT:

Senator Joyce requested leave to be shown as hyphenated cosponsor. Is leave granted? Leave is granted. Amendment No. 1.

SENATOR JEROME JOYCE:

First of all, I want to Table the amendment that's on...the committee amendment that was placed on last August or some...

PRESIDENT:

All right. Senator...that's Amendment No. 1, right?

SENATOR JEROME JOYCE:

Yes.

PRESIDENT:

Senator Joyce has moved to Table Committee Amendment No. 1. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Jerome Joyce.

PRESIDENT:

Senator Joyce.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. Chairman...Mr. President. This is the...the companion legislation, and you have...Senator Macdonald you have an amendment for this?

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

I do have an amendment and I believe it has been filed. Now whether...I don't know that enough copies have been printed; so again, we may have to bring it back tomorrow or it can be distributed if we can get enough copies.

PRESIDENT:

Well, if there...let me just suggest, Senator Macdonald, if there's no controversy on either of these two amendments, they can be rather readily adopted, I assume.

SENATOR JEROME JOYCE:

I...Mr. President, I know of no controversy on...this amendment that I'm offering. It is the companion legislation that deals with much of the problems. If, indeed, Illinois is a host state or if Illinois goes it alone, it sets the fees and the...the procedures and the hearings and all of the rest of it. There has...it seems this bill has never created a great deal of controversy, everyone agrees that it...that we need it; and if there are any questions, I'd be happy to try and answer them.

PRESIDENT:

All right, Senator Macdonald is that a fair statement? And then your amendment, I presume, is also noncontroversial so we can adopt two and three and move on. All right. Senator Joyce has moved the adoption of Amendment No. 2 to House Bill 2234. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 3 offered by Senator Macdonald.

PRESIDENT:

Senator Macdonald.

SENATOR MACDONALD:

You...was adopted by...all right.

PRESIDENT:

Moves the adoption of Amendment No. 3 to House Bill 2234. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. Let...let...let me share with you where I think we are. Four members have indicated that they have House bills they would wish to get in position, if that's the right word, dealing with subject matters of some concern to them in their district. There are two motions to discharge filed by Senators Grotherg and DeAngelis that they have asked the Chair to consider. There are two motions to discharge on resolutions, one of which the sponsor indicates he wishes to adopt, it is apparently without controversy, to be adopted this evening. So there are just those one, two, three, four, five matters, all of which I think can be handled on a voice vote. And then the second reading of the Constitutional Amendment has been suggested. But I think if we go through the motions, then we're effectively completed until ten o'clock tomorrow, and I will sit here and listen dutifully to the Constitutional Amendment as...as its read. You...you're going to sit here too, pal. We take them...Senator Bruce, you want to...well, wait, before we do that. Senators Friedland and Donahue, are you ready? There are bills on the Calendar. With leave of the Body we'll move...we were on the

Order of House Bills 2nd Reading on the supplemental. With leave of the Body we will move to House bills 2nd reading on the regular Calendar, that's page 4, and ask the Secretary to read House Bill 1505. You intend to amend that tonight? You got an amendment? Filed? Okay. Distributed, I hope with nine hundred copies and, yeah, right.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1505.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Friedland.

PRESIDENT:

Senator Friedland.

SENATOR FRIEDLAND:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Amendment 1 would strike everything after the enacting clause and add a bill...or excuse me, an amendment which this Senate adopted in June to permit the City of Elgin to form an appointed civic...Civic Center Authority. That was adopted unanimously in the Senate. It went to the House and some confusion was removed, and I'm attempting to keep that concept alive. I'd appreciate your adoption of this amendment. Thank you.

PRESIDENT:

All right. Senator Friedland has moved the adoption of Amendment No. 1 to House Bill 1505. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. With leave of the Body, we'll move now to House bills 3rd reading, Senators Donahue and Demuzio. A requested action on, I presume, Senator Barkhausen, on House Bill 1924, 1-9-2-4. It's on House bills 3rd reading. With leave of the Body, Senator Barkhausen is moving that House Bill 1924 be brought back to the Order of 2nd Reading for purposes of an amendment. Is leave granted? Leave is granted. On the Order of House Bills 2nd Reading, House Bill 1924, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senators Donahue, Demuzio and Barkhausen.

PRESIDENT:

I'm sorry. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This...we are deleting everything after the enacting clause and putting in place of a special piece of legislation that is designed to alleviate a problem we have in Quincy. Because of our geographical and physical locations, two of our banks have been prohibited from following their customers. We are restricted by the Mississippi on the west, industry on the north and a large quarry on the south. The only direction that we are able to grow is to the east. The amendment allows Quincy to have the six hundred foot limit apply to the community service facility instead of the mile limit. If we were to follow the mile rule, we would have banks in a cornfield as well as residential areas. I would hope that we could support this amendment.

PRESIDENT:

All right. Senator Donahue has moved the adoption of Amendment No. 1 to House Bill 1924. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The amendment is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDENT:

3rd reading. Senator Bruce. There is motion to discharge filed with respect to House Joint Resolution 76, HJR 76. Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This deals with HJR 76 which has been distributed to each of the members in the Body. I would like to add as joint sponsors of that resolution Senators Schaffer, Luft, Holmberg and Dawson and Senator Bloom and Senator Davidson and Senator Gec-Karis. This deals with the problems we are having with importation of Japanese vehicles, and with that, I would just say I would...my motion is to discharge the Committee on Executive from further consideration. This House joint resolution has passed the House, and if that motion prevails, I will explain it in some detail. I would like to discharge and have it immediately considered before this Body.

PRESIDENT:

All right. Senator Bruce has moved to discharge the Committee on Executive from further consideration of House Joint Resolution 76 for the purpose of immediate consideration. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. HJR 76 is now before the Body. Senator Bruce.

SENATOR BRUCE:

Thank you. The content of this resolution deals with the Japanese Voluntary Restraint Agreement which at the present time limits the Japanese imports to a million six hundred thousand units in any...any given year. At the present time, General Motors is making a plea to the Federal Government to intercede and allow them to bring in in a joint agreement with Isuzu, who they have been using their funds to buy por-

tions of to manufacture vehicles and bring them into this country and to raise that limit from 1.6 to two million units per year. One of the major manufacturers, Chrysler Corporation, in the State of Illinois has indicated if this voluntary restraint agreement is breached that they will have to close the facility at Belvidere at a loss of some four thousand two hundred jobs for Illinoisians, over seventy-five million dollar loss in payroll and more than five million dollars in payment of taxes to the State of Illinois. The resolution just merely states that we urge the President to instruct the United States Trade Representative to achieve a commitment from the Japanese Government for a continued voluntary restraint agreement not to exceed the present amount. That's the content of the resolution. I'd ask for its adoption.

PRESIDENT:

All right. Senator Bruce has moved the adoption of House Joint Resolution 76. Discussion? Senator Reats.

SENATOR REATS:

Yeah, Terry, I...I'm going to support your resolution, I mean...that's like this, but I want to say, kiddingly, that let's not base it on closing down Belvidere. Belvidere is about the most modern auto plant in America. I know two major corporations that are trying to...that want to buy Belvidere. In fact, they'd love to have Chrysler close it; they'd have bought it the next day. So, I'll vote for it but let's...let's be realistic and...and on what we're doing. I mean, the UAW wants a little support, so we do it; but Belvidere is not an endangered plant, it's probably the most valuable plant in the U.S.

PRESIDENT:

All right. Senator Bruce has moved the adoption of House Joint Resolution 76. All in favor of the resolution indicate by saying Aye. All opposed. The Ayes have it. The resolu-

tion is adopted. There are two other motions to discharge. Mr. Secretary, will you go through the balance of those motions? Senator Vadalabene, while we're at a lull here.

SENATOR VADALABENE:

Yes, I would like to be recorded as a hyphenated sponsor on House Joint Resolution 76.

PRESIDENT:

That request is in order. Leave is granted, I am sure, without objection. Okay. Motion to discharge on House Bill 553, Senator Grothberg. Senator Grothberg.

SENATOR GROTHBERG:

Thank you, Mr. President. I would ask leave of the Body to discharge a bill that resides in Rules...a House bill, in Rules for a local ambulance district problem in the Cities of St. Charles, Geneva and Batavia. The amendment is being drafted and it will...I'll run it by both sides of the aisle tomorrow to make sure that it is something that we can accept; if it's not, I don't want to carry it either. I would just ask that it be placed on 2nd reading.

PRESIDENT:

All right. Senator Grothberg has moved to discharge the Committee on Rules from further consideration of House Bill 553 and asked that bill...that bill be placed on the Calendar on the Order of 2nd Reading. All in favor of the motion indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator DeAngelis on House Bill 1939.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. I move that the Committee on Executive be discharged from further consideration of House Bill 1939 for the purposes of putting it on 2nd reading. The bill will be amended tomorrow to include some urgent measures that are required by Central Management Services. I would move that...I would move that

we discharge the committee.

PRESIDENT:

All right. Senator DeAngelis has moved that the Committee on Executive be discharged from further consideration of House Bill 1939 and asked that that bill be placed on the Calendar on the Order of 2nd Reading. All in favor of the motion to discharge indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Further motions?

ACTING SECRETARY: (MR. FERNANDES)

I move that Senate Joint Resolution...I move to discharge the Committee on Executive from further consideration of Senate Joint Resolution 49 and that the resolution be placed on the Calendar on the Order of Secretary's Desk, Resolutions. Signed, Senator Rock.

PRESIDENT:

You've heard the motion. All in favor indicate by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. We are...all right. Resolutions just to cleanup the...

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 357, congratulatory.

358...the first one was by Senator Kustra; the second, 358, by Senator Rock and all Senators.

359, by Senator Jerome Joyce. All congratulatory.

PRESIDENT:

Consent Calendar.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 69 offered by Senator DeAngelis.

PRESIDENT:

Executive. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1359 offered by Senator Jones.

(Secretary reads title of bill)

1st reading of the bill.

Senate Bill...1360 that was...1361, just read a first time.

1362 offered by Senator Grothberg.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Further business? Further announcements? The only thing remaining is the Constitutional Amendment to be read a second time. Senator Berman.

SENATOR BERMAN:

I had Senate Joint Resolution 68 on the Secretary's Desk. I don't know if you want to do that today or tomorrow.

PRESIDENT:

Tomorrow, we're going...do the whole Secretary's Desk tomorrow, I hope.

SENATOR BERMAN:

Thank you.

PRESIDENT:

Senator Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President. I'd like the record to show that Senator Pawell is in intensive care at Memorial Hospital, her EKG is good and she is resting comfortably.

PRESIDENT:

The record will so reflect. Senator Vadalabene.

SENATOR VADALABENE:

Yes, one more time. Executive Appointments, 212, tomorrow, nine o'clock sharp.

PRESIDENT:

All right. When we Recess, we will Recess until ten o'clock tomorrow morning. If we start right on time, I think we can hopefully finish before the afternoon gets too late.

All right, with leave of the Body, we'll move to page 4 on the Calendar, Constitutional Amendment 2nd reading. SJRCA2, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 2, Constitutional Amendment.

(Secretary reads SJRCA No. 2)

2nd reading of the resolution.

PRESIDENT:

Any amendments?

ACTING SECRETARY: (MR. FERNANDES)

No amendments.

PRESIDENT:

3rd reading. Yes, Senator Buzbee, everyone was mightily impressed with your Constitutional Amendment. Senator Buzbee moves...any further business to come before the Senate? If not, Senator Buzbee moves that the Senate stand adjourned until Thursday, October 20, at the hour of 10:00 a. m. Tomorrow at ten o'clock. The Senate stands adjourned.