

83RD GENERAL ASSEMBLY

REGULAR SESSION

NOVEMBER 1, 1983

PRESIDENT:

The Senate will please come to order. Will the members be at their desk, and will our guests in the gallery please rise. Our prayer this afternoon by Rabbi Israel Zoberman, Temple B'rith Sholom, Springfield, Illinois. Rabbi.

RABBI ISRAEL ZOBERMAN:

(Prayer given by Rabbi Zoberman)

PRESIDENT:

Thank you, Rabbi. Reading of the Journal.

ACTING SECRETARY: (MR. FERNANDES)

Tuesday, October 18, 1983; Wednesday, October 19, 1983.

PRESIDENT:

Senator Johns.

SENATOR JOHNS:

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

PRESIDENT:

You've heard the motion as placed by Senator Johns. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries. It's so ordered. Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. I move that reading and approval of the Journal of Thursday, October the 20th, in the year 1983, be postponed pending arrival of the printed Journal.

PRESIDENT:

You've heard the motion as placed by Senator Johns. Any discussion? If not, all in favor signify by saying Aye. All opposed. The Ayes have it. The motion carries, and it's so ordered.

PRESIDING OFFICER: (SENATOR BRUCE)

(Machine cutoff)...reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Buzbee, the chairman of the Committee on Appropriations II reports House Bill 2315 with the recommendation the bill Do Pass as Amended.

PRESIDING OFFICER: (SENATOR BRUCE)

Message 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 that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask concurrence of the Senate, to-wit:

House Joint Resolution 97. Adopted by the House October 20, 1983. John F. O'Brien, Clerk of the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Consent Calendar.

ACTING SECRETARY: (MR. FERNANDES)

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

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to adopt the first Conference Committee report on Senate Bill 668 and requests a second...Committee of Conference to consider the differences between the two Houses in regards to Amendment No. 1, 2, 3 and 4.

I am further directed to inform the Senate that the House of Representatives has appointed a such committee on the part of the House; Representatives Cullerton, McGann, Hicks, Nelson and Hastert. Action taken by the House October 20, 1983. John F. O'Brien, Clerk of the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Buzbee moves that we accede to the request of the House that a Conference Committee be appointed. On the motion, those in favor say Aye. We accede to the request of the House. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution 362, by Senator Geo-Karis, congratulatory.

Senate Resolution 363, by Senator Mahar, congratulatory.

Senate Resolution 364, by Senator Macdonald, congratulatory.

Senate Resolution 365, by Senator Macdonald, congratulatory.

And Senate Resolution 366, by Senator Macdonald, congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Consent Calendar. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1364, by Senator Fawell and Etheredge.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Rules Committee. For what purpose does Senator Savickas arise?

SENATOR SAVICKAS:

Mr. President and members of the Senate, I would like the record to show that Senator Nedza is absent due to illness.

PRESIDING OFFICER: (SENATOR BRUCE)

The Journal will so indicate. Introduction.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1365 offered...introduced by Senator Kelly.

PRESIDING OFFICER: (SENATOR BRUCE)

Rules Committee. Senate Bill 1365 just introduced will be taken out of the record, with leave of the Body. Is there leave? Leave is granted. Resolutions.

ACTING SECRETARY: (MR. FERNANDES)

Senate Joint Resolution No. 71 offered by Senator Kelly, and it's...it's a Constitutional Amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive Committee.

ACTING SECRETARY: (MR. FERNANDES)

Senate Resolution No. 367 offered by Senator Kelly, and  
it's congratulatory.

PRESIDING OFFICER: (SENATOR BRUCE)

Resolution Consent Calendar. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1365, by Senator Sangmeister.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Rules Committee. For what purpose does Senator Johns  
arise?

SENATOR JOHNS:

Mr. President, Democratic Caucus immediately in Room 212.  
Democratic Caucus immediately in Room 212.

PRESIDING OFFICER: (SENATOR BRUCE)

Democratic Caucus in 212. Senator Davidson.

SENATOR DAVIDSON:

Mr. President, a Republican Caucus in Senator Philip's  
office immediately upon Recess.

PRESIDING OFFICER: (SENATOR BRUCE)

Republican Caucus in Senator Philip's office. Senator  
Rock moves that the Senate stand in Recess until the hour of  
three. The motion to Recess, those in favor say Aye.  
Opposed Nay. The Ayes have it. The Senate stands in Recess  
till three o'clock. Democratic Caucus, Room 212. Republican  
Caucus in Senator Philip's office.

RECESS

AFTER RECESS

PRESIDENT:

The Senate will come to order. Introduction of bills.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill 1366 introduced by Senator Welch.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDENT:

Rules Committee. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Lemke, chairman of the Committee on Judiciary I reports House Bill 2281 with the recommendation the bill Do Pass.

PRESIDENT:

(Machine cutoff)...will come to order. If I can have the attention of the membership, we'll begin on page 20. The top of page 20, Senators DeAngelis, Bruce, Netsch, Jerome Joyce, Marovitz, Sangmeister. We'll begin on the order of business Motions in Writing to Accept the Governor's Specific Recommendations for Change. Senator DeAngelis, are you ready? Alright. Mr. Secretary, on the top of page 20, a motion in writing on House Bill 205. The Senate will please come to order. Motion in writing on House Bill 205, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 205 in manner and form as follows. Signed by Senator DeAngelis.

PRESIDENT:

Senator DeAngelis.

SENATOR DeANGELIS:

Thank you, Mr. President and members of the Senate. The Governor's objection was, in fact, sincere and real. The part that he was objecting to was the part which charged the five dollar recording fee for the assignment of mortgages and would not allow the assignment of more than one mortgage document at a time. And there are many financial institutions that file many mortgages. There is a fee for the additional mortgages. So, the part that the recorders were interested in is still intact, and I urge that we accept the

*7/13/87  
Spec. Recomm'd.  
of the Governor*

Governor's specific recommendation for change in House Bill 205.

PRESIDENT:

Any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 205 in the manner and form just stated by Senator DeAngelis. 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 55 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 205 having received the required constitutional majority are declared accepted. 234, Senator Bruce. 247, Senator Netsch. On the Order of Motions in Writing, Mr. Secretary, a motion on House Bill 247.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 247 in manner and form as follows. Signed by Senator Netsch.

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 247 incorporated the results of the work of a joint House-Senate committee which dealt with the problems arising from the so-called green sheet amendments that had been adopted at an earlier Session. There is no substantive problem with the bill itself, but in the amendatory veto the Governor pointed out that a reference that was made in the bill to pegging the creative financing amount to the rate published by the Federal Home Loan Bank of Chicago would no longer work because the Federal Home Loan Bank did not publish that specific rate any longer. He has, therefore, made an equivalent change that would accomplish approximately the same result but

would, in effect, substitute for the inappropriate language. To my...the best of my knowledge there is no objection at all to this change, and I would move that we accept the Governor's specific recommendation.

PRESIDENT:

Discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Will the sponsor yield for a question?

PRESIDENT:

Sponsor indicates she'll yield, Senator Geo-Karis.

SENATOR GEO-KARIS:

Is...I...then what this bill really does, it...you're asking for a change in the real estate tax transfer declaration form, is it not...are you not?

PRESIDENT:

Senator Netsch.

SENATOR NETSCH:

The...the basic changes that were made in this whole procedure, the so-called green sheet procedure, were made as a result of the joint committee activity, and they were intended to simplify the procedure to make it more possible for everyone in the business to live with it. Those substantive changes were already in House Bill 247, and we are not in any way making a substantive change in those. We are simply correcting a reference that turned out to be inappropriate after the bill was passed. I might add, parenthetically, one of the relatively few totally appropriate uses of the amendatory veto.

PRESIDENT:

Further discussion? Any further discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 247 in the manner and form just stated by Senator Netsch. 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 52 Ayes, 1 Nay, none voting Present. The specific recommendations of the Governor as to House Bill 247 having received the required constitutional majority are declared accepted. Senator Joyce, on 333. Senator Marovitz, on 390. On the Order of Motions in Writing to Accept the Specific Recommendations, a motion on House Bill 390, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 390 in manner and form as follows. Signed by Senator Marovitz.

PRESIDENT:

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. House Bill 390 amends the Illinois Banking Act and made several changes regarding automatic teller machines at banking facilities and allowed banks to make investments and...of bank capital and surplus in housing corporations. That provision was removed from the bill, because in the Governor's opinion, as a result of experience, investments of these type would be unwise and might create further regulatory difficulties. It seems that there is total agreement with everybody to accept the Governor's recommendation. And this leaves in the bill a...the resolution of a problem unique to savings and loans concerning those who want to be connected to the facilities between...branch and main offices. They want to be connected to the transmission facilities between their main office and their branch office. This is something that certain savings and loans around the State need desperately in order to connect to the entire system, and I would move that we do accept the Governor's recommendation for change on House Bill 390.



PRESIDENT:

Discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 390 in the manner and form just stated by Senator Marovitz. 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, 55 Ayes, no Nays, none voting Present. The specific recommendations of the Governor as to House Bill 390 having received the required constitutional majority are declared accepted. 417, Senator Sangmeister. On the Order of Motions in Writing to Accept the Specific Recommendations, a motion on House Bill 417, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 417 in manner and form as follows. Signed by Senator Sangmeister.

PRESIDENT:

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. If you recall, House Bill 417 increased the death benefits from twenty thousand to fifty thousand for officers and firemen killed in the line of duty, and we also extended that coverage to Department of Correction employees who have a daily contact with inmates. In addition to that, we put an amendment on that bill which entitled State employment to on remarried spouses of a slain officer or a fireman. In that regard, the Governor stated that he approved of the legislation; however, that particular part of it he said, "However, this legislation also provided that an on remarried surviving spouse of a law enforcement officer or fireman is entitled to State employment at a salary equal to or less

than that earned by the officer." He stated that this provision represents a radical departure from traditional State employment practice, which, of course, it does, and the general consensus is that we accept the amendatory veto of the Governor.

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...as to House Bill 417 in the manner and form just stated by Senator Sangmeister. Those in favor vote Aye. Those opposed vote Nay. The voting is open. Have all voted who wish? Sam. 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 specific recommendations of the Governor as to House Bill 417 having received the required constitutional majority vote of Senators elected are declared accepted. 606, Senator Bruce. 628. House Bill 628, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 628 in manner and form as follows. Signed by Senator Bruce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you. This bill dealt with the payment semimonthly of contributions to the State Teachers' Retirement System and the Chicago Retirement System. At the present time, we have been making payments twice a month. A question arose from the Comptroller as to the timeliness of those payments. The bill went out of here saying that the payments would be made on the first and fifteenth. The Governor has asked that we change that to the tenth and twentieth. The systems, both the Chicago System and the Downstate Retirement System agree

with that, and so I would ask that we accede to the request of the Governor and accept his amendatory veto.

PRESIDING OFFICER: (SENATOR DENUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 628 in the manner and form just stated by Senator Bruce. 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 House Bill 628 having received the required constitutional majority vote of Senators elected are declared accepted. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Yes, thank you, Mr. President. Bev, this is Sam. No one is any happier than I to see you back in the Senate Chamber, and you all know that she's been very sick, so let's give her a hearty welcome that she's back here with us today.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Fawell.

SENATOR FAWELL:

Sam, this is Bev, and I thank you for your kind words and the card, and there's nobody happier than I am to be back. Thank you, very much.

PRESIDING OFFICER: (SENATOR DENUZIO)

Okay. Middle of page 20, House Bill 644, Senator Netsch.

SENATOR NETSCH:

Yes.

PRESIDING OFFICER: (SENATOR DENUZIO)

Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the

Governor as to House Bill 644 in manner and form as follows.

Signed, Senator Netsch.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. House Bill 644 dealt with and established a program of bonus compensation for local assessors in all counties except Cook who accomplished...who met certain standards of accuracy in their assessment. It is one of the methods that we have attempted over the past few years to attempt to address the importance of the quality of assessments to the entire property tax situation. The Governor has not objected to the purpose of the program or its basic structure. The proposed amendments are two which are fundamentally technical in...in nature. In our bill we had required that in order to meet the bonus compensation standard the assessors must be within five percent...within the five percent level. The Governor has said that it would be much clearer if that read, from thirty-one and a half percent to thirty-five and a half...thirty-five and one-third percent, which is certainly consistent at least with what we were doing. He's also specified particularly the assessment year to which the bill would first apply. Those, I think, are essentially technical clarifying amendments and do not in any way thwart or twist the basic purpose of the bill, and I would move that we accept the Governor's proposed changes.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any questions? Any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 644 in the manner and form just stated 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? Have all voted who wish? Take the record. On that question, the Ayes are 57,

the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 644 having received the required constitutional majority vote of Senators elected are declared accepted. 701, Senator Lemke. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 701 in manner and form as follows. Signed by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this amendment does is puts a limit on the amount of years that a lease can be made by a township of their buildings to fifty years. I think it's a good recommendation of the Governor. I ask for...to override the specific...I mean, I ask to confirm it...to accept it.

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 House Bill 701 in the manner and form just stated by Senator Lemke. 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 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 701 having received the required constitutional majority vote of Senators elected are declared accepted. 721, Senator Bruce. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 721 in manner and form as follows. Signed by Senator Bruce.

*H. B. 747  
Spec. recomm.  
of the Governor*

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This bill addressed a problem that I'm sure many of us have had, and that is the question of people being solicited for...for police publications and trying to develop a system whereby they are licensed by the State of Illinois as a qualified police publication. We passed the bill out of here in a form that gave a relatively definite definition of what a bonafide publication was. The Governor decided that he would prefer that the definition of what a bonafide police publication is would be defined only and solely by the Attorney General of the State of Illinois, and so he put that language in. I have met with the police organizations who are, in fact, publishing bonafide publications, and they feel that they can live with the definition and work with the Attorney General and stop those people who have harrassed the public in trying to get them to buy ads in...in non...really bonafide publications. And so, with the Governor's language, everyone seems to be happy. I would ask that we accept the specific recommendations of the Governor as to House Bill 721.

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 House Bill 721 in the manner and form just stated by Senator Bruce. 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 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 721 having received the required constitutional majority vote of Senators elected are declared accepted. 747, Senator Egan. Mr. Secretary, read

AD 775  
Aye: the  
Res. the  
Law.

the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 747 in manner and form as follows. Signed by Senator Egan.

PRESIDING OFFICER: (SENATOR DENUZIO)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. The original bill as it passed repealed the Act to revise the law in relation to jails throughout the State of Illinois to develop comprehensive requirements pertaining to jails and provide for certain restrictions and/or directions on county sheriffs when they place people within the institutions. The Governor, for the sake of the Department of Mental Health and the developmental...developmentally disabled institutions, took the requirement...or added language to allow that the sheriffs then did not have the authority to place prisoners in those institutions and leave it in the Department of Mental Health. I move that we accept those recommendations.

PRESIDING OFFICER: (SENATOR DENUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 747 in the manner and form just stated by Senator Egan. 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 53, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 747 having received the required constitutional majority vote of Senators elected are declared accepted. 775, Senator Bruce. Mr. Secretary, read the motion.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 775 in manner and form as follows. Signed by Senator Bruce.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

UPI has requested permission to take still photographs. Is...leave granted? Leave is granted. Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. Senate Bill...House Bill 775 as it left this Body gave credit to individuals for pension credit for one-half of their unused sick leave days. It is a system that has been utilized to good standing in other states. We tried it...plan to try it. The Governor said that the cost of allowing everyone who had already been involved...all of their accumulated sick leave days, to transfer those for pension credit to the system would be too costly, and so he has said that that provision which allows you to get pension credit will only go into effect on January the 1st, 1984. And, in effect, by his amendatory veto has created...in effect, two classes of sick leave days for State employees, and that would be that State employees after January the 1st will get twelve days of sick leave that they can accumulate and use as pension credits. If they were to get sick next year, they might, in fact, be using the pre-January 1, 1984 sick days to use those up so that they, in fact, would accumulate twelve days. Some of these State employees have...over a hundred and eighty unused sick leave days. And so by this legislation we will, in effect, create two...a...a...a point be marked by January the 1st, 1984 of those days that you can use to give additional service time credit. I believe the Governor's amendatory veto was reasonable. It does reduce the cost of the...of the...of the legislation, at the same time incorporates in our Act that people who stay well and stay on the job will be benefited by that and get one-half of those sick leave days that they do



not use as pension credit. We do it in other systems, we ought to do it here. I'd move that we accept the specific recommendations of the Governor.

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 House Bill 775 in the manner and form just stated by Senator Bruce. 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 2, none voting Present. The specific recommendations of the Governor as to House Bill 775 having received the required constitutional majority vote of Senators elected are declared accepted. 803, Senator Bruce. Mr. Secretary, read the motion in regards to House Bill 803.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the...of the Governor as to House Bill 803 in manner and form as follows. Signed by Senator Bruce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This bill is a matter that dealt with the United States Government and their EPA...regulations as it relates to underground injection control wells in the State of Illinois. Within the language, we thought that they would...wanted a violation of the Act to be a petty offense, which is criminal in nature. The Governor informs us in communications that he's had that that should have been a civil offense, and so the criminal penalty is removed for underground injection. And I would move that we accept the amendatory veto of the Governor.

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 House Bill 803 in the manner and form just stated by Senator Bruce. 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 57, the Nays are none, none voting Present. The...specific recommendations of the Governor as to House Bill 803 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1054, Senator Kelly. 1108, Senator Welch. 1133, Senator Bruce. The bottom of page 20, House Bill 1133. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 1133 in manner and form as follows. Signed by Senator Bruce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. This bill dealt with, as it left this Body, with the precollection of sales tax on motor fuel as it left the...as the wholesaler. Senator Netsch was a great supporter of this legislation...no. In fact, Senator Netsch was much opposed, but I'm sure in its revised form that she will stand and speak in favor of it because the Governor, in fact, has said that the concept is good. It has four little flaws that he would like to correct. We had a big problem in Senator Netsch's committee on resellers. We thought we'd closed the hole on resellers. He also said that resellers should also precollect the tax from the retailer to whom they sell rather than just file reports, which was a problem we had, and I think solves the problem. It clarifies

the content of the...content of the returns filed and...and clarification of the two percent vendor discount. We had a question in Senator Netsch's committee about what that two percent meant, and we made it clear that it's two percent of the five percent and not two percent of the...of the retail sale. It also delays the effective date to the first day of March. That is at the request of the Department of Revenue. They had indicated that they had start-up costs in printing forms that would...just could not meet a January 1st deadline, and it exempted the prepayment requirements from gasohol. Senator Luft and others have been interested in the sales tax on gasohol, and what we have done is to just exempt that prepayment requirement also from gasohol. With those changes, I believe that it met many of the objections of members on this Body. I would ask that we accept the specific recommendation of the Governor as to House Bill 1133.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. Senator Bruce is quite correct, I was strongly opposed to this. I never could understand the need totally to restructure the method and incidence on collecting a major tax simply to get at a problem that had not been demonstrated to be caused by the current method of collection. The...a key part of my objection also was that the one aspect that was...clearly would help the collection of this tax and fill any gaps was a tracking and reporting system that would make the...that would enable the Department of Revenue really to keep track of who was and was not paying. That was dealt with only barely adequately I think in the bill as it passed both Chambers. And while I still think it's a foolish...move for us to be making, it certainly...the amendatory veto strengthens those particular

provisions somewhat, and at least it's better than it was in its nonpristine form before.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any further discussion? Further discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 1133 in the manner and form just stated by Senator Bruce. 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. The specific recommendations of the Governor as to House Bill 1133 having received the required constitutional majority vote of Senators elected are declared accepted. 1336, Senator Lemke. 1402, Senator Egan. Senator Lemke, are you prepared on 1336? Top of page 21, House Bill 1336. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 1336 in manner and form as follows. Signed by Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

What this bill does is revise the requirements imposing a lien in lieu of...of posting a bond during administrative review process in...in regards to the occupation tax. What the Governor did was...which I don't agree with, but since the House accepted it is, delete the provision of no sales tax on...on school books. He just...he wants to keep the tax on school books, which I'm against. I don't know how we can have a book fund and then take back some of the money. It's another duplication but we can get it next time. But I'll move to accept it...the recommendation.

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 House Bill 1336 in the manner and form just stated by Senator Lemke. 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. The specific recommendations of the Governor as to House Bill 1336 having received the required constitutional majority vote of Senators elected are declared accepted. 1402, Senator Egan. Mr. Secretary, read the motion. House Bill 1402.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 1402 in manner and form as follows. Signed by Senator Egan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Thank you, Mr. President and members of the Senate. The original bill gave the statutory authority to permit the use of a negative income rather than a zero income in reporting State Income Tax. The Governor endorses the bill in his amendatory veto but makes specific language so that the...to strictly prohibit taxpayers from receiving a double tax benefit, the intention of which the bill originally was formed. This language makes even further cause to disallow and strictly prohibit a double tax benefit, and I move for the acceptance of the Governor's recommendation.

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 House Bill 1402 in the manner and form just stated by Senator Egan. 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 none, 1 voting Present. The specific recommendations of the Governor as to House Bill 1402 having received the required constitutional majority vote of Senators elected are declared accepted. 1530, Senator Bruce. 1788, Senator Vadalabene. Mr. Secretary, on the order of...middle of page 21, House Bill 1788. Read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 1788 in manner and form as follows. Signed by Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

Yes, thank you, Mr. President and members of the Senate. The Governor's rationale is correct in regards to House Bill 1788. This legislation was proposed by the Association of County Clerks and Recorders, and according to the association, the Stockbreeders Act was intended to protect farmers against fraudulent breeders during the turn of the century. The practice regulated has become obsolete and thus the reporting requirements are not needed. In addition, the association argues that the current reporting requirements under the Detectives and Detective Agency Act are not complied with and that is also unnecessary. And I move to accept the recommendation of the Governor.

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 House Bill 1788 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 57, the Nays are none, none voting Present. The...the specific recommendations of the Governor as to House Bill 1788 having received the required constitutional majority vote of Senators elected are declared accepted. House Bill 1814, Senator Holmberg. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 1814 in manner and form as follows. Signed by Senator Holmberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

House Bill 1814, in the manner in which it left this Chamber, would have...prohibited Illinois Commerce Commission members and employees from seeking employment with public utilities for one year after termination of that employment. The Governor...it also dealt with ex parte communications. The Governor chose to veto a great share of that bill. He did, however, leave in the fact that the commissioners themselves could not seek employment for one year after termination with a public utility, and I would concur with the House that we should accept that, and I move to accept the Governor's recommendations.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. In reading the Governor's rationale for the veto in this bill, he says that the employment sanctions defined in the bill do not provide a regulatory safeguard. Staff level shifts of employment from ICC to regulated companies have been rare. If they've been rare, I

don't see a great problem with supporting the bill as it originally came out.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch, pardon me. WGN has requested permission to...to film. Is leave granted? Leave is granted. Senator Welch.

SENATOR WELCH:

You want me to repeat what I said, or...is that the...is that the only change that the Governor made in the bill, or did he strike the whole bill?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Holmberg.

SENATOR HOLMBERG:

The only thing that he left in was the fact that the commissioners could not be employed by the utilities for one year. The...remainder is basically gone. We had employees in there as well.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Welch.

SENATOR WELCH:

I see no reason to suddenly agree with the Governor and take out the employees. It seems to me that just limiting the five members, and soon to be seven members, of the Commerce Commission from going to work for utilities is kind of a small safeguard when the original intent of the bill was to prohibit advisors and workers and staff people from the entire ICC from going to work for the utilities. I think that similar to staffs here, those staff members have probably a great deal of impact upon what the commission does. And the idea behind the bill originally, as I thought, was to keep a delineation between private industry and government so that we don't have the revolving door between private industry and government, and I kind of think that that is a good concept, and I disagree with the Governor. And I think that



we should vote No on this piece of legislation.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Further discussion? Senator Holmberg may close. Alright. The question is, shall the Senate...accept the specific recommendations of the Governor as to House Bill 1814 in the manner and form just stated by the Governor. 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 48, the Nays are 7, none voting Present. The specific recommendations of the Governor as to House Bill 1814 having received the required constitutional majority vote of Senators elected are declared accepted. 1825, Senator Zito. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 1825 in manner and form as follows. Signed by Senator Zito.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Zito.

SENATOR ZITO:

Thank you, Mr. President and members. The amendatory veto deletes the word "offices" and instead inserts "banking house." The result of this amendatory veto is that a trust company subsidiary of a holding company would be able to service its accounts only through the main banking office of subsidiary banks. Therefore, we would move to accept the specific recommendations set forth by the Governor.

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 House Bill 1825 in the manner and form just stated by Senator Zito. 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 57, the Nays are none, none voting Present. The...the specific recommendations of the Governor as to House Bill 1825 having received the required...constitutional majority vote of Senators elected are declared accepted. 1972, Senator Grotberg...Senator...Senator Grotberg, do you wish to proceed? Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 1972 in manner and form as follows. Signed by Senator Grotberg.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg.

SENATOR GROTBORG:

Thank...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Grotberg...could we have some order, please.

SENATOR GROTBORG:

...thank you, Mr. President and fellow members. These are technical changes to the sixty-two page annual easement bills from DOT, and I move we accept those changes. There's absolutely no substantive changes in the bill.

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 House Bill 1972 in the manner and form just stated by Senator Grotberg. 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. The specific recommendations of the Governor as to House Bill 1972 having received the

required constitutional majority vote of Senators elected are declared accepted. 2019, Senator Marovitz. Senator Marovitz on the Floor? Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 2019 in manner and form as follows. Signed by Senator Marovitz.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Marovitz.

SENATOR MAROVITZ:

Thank you, very much, Mr. President and members of the Senate. This bill, House Bill 2019, provides a remedy for tenants and landlords who are delinquent in their utility payments. We also passed a bill, which I sponsored, Senate Bill 485, which embodied most of the provisions of this bill, and so the Governor made certain corrections which would not conflict with Senate Bill 485 which he has signed and which is now law. He deleted the...a payment of current bills by a tenant from the requirements for...for changing billing from landlords to tenants because the current billing requirements would have been, had to pay by the lessee and they really were the landlords bills, and so by deleting that they...they make the...the landlord pay the bill which, in fact, is his obligation. He removed the provision...requiring newly applicable...to duplexes or...or two-flat buildings. And the problem there is if...if a building was converted to two-flat, it would be very difficult to know who, in fact, was responsible. So, the changes have been agreed to by everybody, both from the utility companies and the consumer organizations. The other provisions are embodied in Senate Bill 485, which I sponsored, which is now law. And I would move that we do accept the Governor's recommendations for change in House Bill 2019.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as...as to House Bill 2019 in the manner and form just stated 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? 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 specific recommendations of the Governor as to House Bill 2019 having received the required constitutional majority vote of Senators elected are declared accepted. 2110, Senator Joyce. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 2110 in manner and form as follows. Signed by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill requires the Department of Commerce and Community Affairs to supply to local governments, upon request, for the use of taxpayers, service customers, voters, government employees, news media, model statements designed to convey in a nontechnical manner information regarding the financial status of a local government and summaries of the obligations to local governments regarding the adoption for the annual operating budgets. The Governor's action was to delay the effective date until January 1st, 1985, and I'd move to concur with that.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there discussion? Discussion? The question is, shall the Senate expect...accept the specific recommendations of the Governor as to House Bill 2110 in the manner and form just explained by Senator Jerome Joyce. 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 accept the specific recommendation of the Governor as to House Bill 2110, and the bill having received the required constitutional majority is declared passed. House Bill 2111, Senator Jerome Joyce. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendations of the Governor as to House Bill 2111 in manner and form as follows. Signed by Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Channel 7 is seeking leave to record the proceedings. Is there leave? Leave is granted. Senator Jerome Joyce is recognized.

SENATOR JEROME JOYCE:

Yes, thank you, Mr. President. This is companion legislation to the preceding bill, and it requires the Department of Commerce and Community Affairs to provide local governments, upon request, with model forms for the disclosure of certain information regarding such governments selling of long- and short-term debts. And there again, the Governor recommended the effective date of the bill to be delayed until January 1st, 1985, and I would move to concur.

PRESIDING OFFICER: (SENATOR BRUCE)

Discussion? Discussion? The question is, shall the Senate accept the specific recommendation of the Governor as to House Bill 2111 in the manner and form just explained by Senator Jerome Joyce. 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 accept the specific recommendation

of the Governor as to House Bill 2111, and the bill having received the required constitutional majority is declared passed. House Bill 2171, Senator Demuzio. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendation of the Governor as to House Bill 2171 in manner and form as follows. Signed by Senator Demuzio.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Demuzio is recognized.

SENATOR DEMUZIO:

Thank you, very much, Mr. President. House Bill 2171 was the bill that created the new offenses for criminal damage to the environment and prescribed penalties. The Governor made a technical change to add that the criminal fines would be recoverable for each day of the violation, and this is apparently in order to be eligible for the delegation of the hazardous waste program our...under RCRA our fee schedule had to be at least as stringent as those under Federal law, and, therefore, one of those Federal requirements is that the...the fines be recoverable for each day of the violation. It's simply a technical change. I know of no opposition. I would move for the Senate to accept the...the Governor's language.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Discussion? The question is, shall the Senate accept the specific recommendation of the Governor as to House Bill 2171 in the manner and form just explained by Senator Demuzio. 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 accept the specific recommendation of the Governor as to House Bill 2171, and the bill

*NO 1121  
Spec. Recomm.  
for Egan*

having received the required constitutional majority is declared passed. House Bill 2244, Senator Lenke. Read the motion, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

I move to accept the specific recommendation of the Governor as to House Bill 2244 in manner and form as follows. Signed by Senator Lenke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lenke.

SENATOR LEMKE:

What this does is recommends that taxes in port...districts should pay full value of the real estate including the improvements which are subject to lease, and recommends that the leasing of unaided port district property be limited to ten years rather than ninety-nine years. I think the...the recommendations are okay, and I ask for...to accept...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall the Senate accept the specific recommendations of the Governor as to House Bill 2244 in the manner and form just stated by Senator Lenke. 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 55, the Nays are none, none voting Present. The specific recommendations of the Governor as to House Bill 2244 having received the required constitutional majority vote of Senators elected are declared accepted. Okay, on the bottom of page 21, motions in writing, override specific recommendations. House Bill 975, Senator Jerome Joyce. House Bill 1121, Senator Egan. Mr. Secretary, read the motion in regards to House Bill 1121.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 1121 do pass, the specific recom-

mendation of the Governor to the contrary notwithstanding.

Signed by Senator Egan.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Egan.

SENATOR EGAN:

Yes, thank you, Mr. President and members of the Senate. The...the Governor in his amendatory veto provided that mail order purchases of the hearing aids which were the subject matter of the original legislation be included like the other hearing aid purveyors. After the Governor vetoed this bill and included the mail orders, he saw that what he had done was really unnecessary because originally we provided enough protection within the legislation and...to meet with the intent of the bill; that is, to protect the consumer from getting...wrongly fitted and improper hearing aid apparatus by certifying the hearing aid dealers and allowing the Attorney General through the consumer protection...Consumer Fraud Act to police the industry. The...the Governor then has written to Representative John Dunn, who was the House sponsor, a copy of which letter has been distributed, and I'll just read it so that you'll understand that he has withdrawn his opposition to my motion to override. "This letter concerns House Bill 1121 which creates the Hearing Aid Consumer Protection Act, which I amendatorily vetoed on September 24, 1983. Since that date, I have been in contact with the interested parties on this House bill. I now believe that is...it...it is in the best interest of the citizens of Illinois to have the bill in the form of originally passed in June. Therefore, I have no objections to an override of my amendatory veto." And, Mr. President, I so move.

PRESIDING OFFICER: (SENATOR DEMUZIO)

...is there any discussion? Any discussion? The question is, shall House Bill 1121 pass, the specific recommendations of the Governor to the contrary notwithstanding. Those



HB 975  
Override  
the veto

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 56, the Nays are none, none voting Present. House Bill 1121 having received the required three-fifths vote is declared passed, the...the specific recommendations of the Governor to the contrary notwithstanding. Is there leave to return to House Bill 975? Leave is granted. House Bill 975, bottom of page 21. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 975 do pass, the specific recommendation of the Governor to the contrary notwithstanding. Signed, Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Joyce.

SENATOR JEROME JOYCE:

Thank you, Mr. President. This bill originally makes three changes in the Forest Preserve Act. If you will note, Senator Etheredge and I just had a letter circulated from the Governor saying that he is withdrawing his opposition to this and now believes that..."is in the best interest of...is...of our forest preserve districts to have this legislation in the form prior to my amendatory veto. Therefore, I have no objection to an override attempt on House Bill 975." And the three basic changes are; first, it allows the forest preserves to develop land as well as acquire land. Currently, forest preserves may issue bonds equal to 2.3 percent of the assessed valuation for acquisition of new purchases. This change would allow for a .3 percent of the 2.3 percent used to develop these lands. It does not increase the levy or taxation rates. It would increase employment for the development in these communities. The second change proposed in this bill would...the forest preserves to acquire land by

lease or easement...currently, land can be acquired only in fee simple title. This would allow the preserves to save money by not being forced to buy full parcels. An example would be an easement through privately held parcel for a trail rather than buying the whole parcel. The third change brings the forest preserves in counties of two hundred and fifty thousand into an equal position with counties over six hundred thousand. As an example, Cook County can acquire land in Elgin without permission, but Kane County cannot. DuPage County can acquire land in St. Charles and Aurora without permission, but Kane County cannot. This merely brings the smaller counties into parity with the larger counties. And I would ask for an override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall House Bill 975 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 53, the Nays are 2, 2 voting Present. House Bill 975 having received the required three-fifths vote is declared passed, the...the specific recommendations of the Governor to the contrary notwithstanding. House Bill 1223, Senator Berman. Mr. Secretary, read the motion, please. At the bottom of page 21, House Bill 1223. Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 1223 do pass, the specific recommendation of the Governor to the contrary notwithstanding. Signed by Senator Berman.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

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

Senate. House Bill 1223 is a bill dealing with special education tax levies. It does not affect the City of Chicago but it affects every other school district in the State. It is not a new tax. In the past, there was an eight year limitation on a special education tax levy. The Governor, for some strange reason, and everyone who's familiar with this issue cannot really understand the amendatory veto, that's one reason why it was overridden in the House, has made the bill, under his amendatory veto, more...more restrictive than the existing law. Under the bill, the special education tax levy had previously an eight year limitation. That limitation is removed by this bill. It also provides in more clear language that the levy can be used for any special education purpose. The Governor inserted the word "building" purposes, and in many of the school districts in the State you don't need more buildings but you have to provide more programs. And what this bill further does is deal with the requirement that the State Superintendent okay levies, which he does not have the power to do for any other type of...of school levy. For those reasons, I urge a vote to override the Governor's changes of his amendatory veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Maitland.

SENATOR MAITLAND:

Thank you, very much, Mr. President. I rise in opposition to the motion to override. I agree with you, Senator Berman, in one instance, and that is, when the Governor amendatorily vetoed this bill, he made it totally unacceptable to both sides of the issue, showed total confusion and just literally destroyed it. But be that as it may, I think the Body should know that when we're dealing with special education issues, and each one of you have heard from special education people on this particular bill, special education is reimbursable. In other words, it's paid after the money

has been expended by the school district. So, when the special education people tell you that this means more money for special education, that simply is not true. It will mean more money to the school district but not to special education because you are mandated by law to provide those services. The school district then submits their claim, that's audited by the regional superintendent and ultimately by the State Board of Education, and then they are paid for that. If anyone is hurt, it's the regular students. So, what this in essence becomes is simply an extension of the...or an increase in the tax rate for your school district without a referendum. Now, two years ago an agreement was made that we would take off the limitations that were provided in the Statutes and allow this eight-year levy for all special education purposes. We thought that's what we passed out of this Body. But the State board chose to interpret it differently. Here we are back now once again taking off the limit or the restriction, which I personally agree with, but also taking off the eight-year limitation. Clearly, the school districts need it. That's not the argument, and many of us many time will accept a backdoor referendum provision as kind of a compromise. We don't have that. This simply is a taking off of the restriction of the eight-year limit and becomes a tax increase without a referendum. Indeed, I understand the problems of the school districts, but I don't believe we're being...honest with our constituents and, therefore, I think the motion should be defeated.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DENUZIO)

Indicates he will yield. Senator Bloom.

SENATOR BLOOM:

Senator Berman, people who have...interested parties, I should say, who have contacted me about this bill indicated to me that the Governor's intention by virtue of his specific recommendation for change was to reimpose the eight-year limitation but that for reasons best known to staff, the added language basically took 1223 back to reflect existing law. Is that accurate that he...his intent was only to reimpose the eight-year limit?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Berman.

SENATOR BERMAN:

Well, I...I can't tell you what the intent. I can tell you what the amendment does...I mean, the amendatory...veto did. It reinstated the eight-year limit and limited the use of the funds under the levy to building purposes only. The people that have contacted you are correct when they say that the amendatory veto bill was worse than existing language. He went far beyond.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Right. No, I...I'm trying to get some facts. You can do the editorials during closing argument. So, in other words, the bill as it reached his desk allowed the levy not just for capital purposes but for operating purposes? Okay, you're nodding, that means it's correct. And what his amendatory veto...did was to reimpose the eight-year limit and tie it down to capital purposes only. Thank you. The...he's nodding yes again. Because the arguments and concerns and the needs expressed by my local districts were essentially that the capital expenditures that they had made on behalf of special education, some of the materials and equipment had worn out and they wanted to replace them, and that the concern was that the Governor had put on an eight-year cap...reimposed

the eight-year cap and substantially limited what they could do. I...I think this discussion is illuminating. Thank you, very much.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Further discussion? Senator Berman may close.

SENATOR BERMAN:

Thank you. I want to pick up where Senator Bloom left off. The concerns that his people in his district voiced are the same concerns of every other school...district outside of Chicago in the State of Illinois. This bill should...the amendatory veto should be overridden because it provides the flexibility to the local school boards to take care of capital improvements and special education programs. The bill is important not only to special education children but to nonhandicapped children. Every year for the last five fiscal years, the Special Education line item that we appropriate has been less than a hundred percent reimbursement. That addresses Senator Maitland's objection. The trouble is, we have not appropriated in any of the last five years sufficient money to pay for the programs under the formula that we have mandated. If we don't give them the money out of State funds, the only other place they've got to look for is local monies. That's what this bill does. This bill is supported not by just the special education community but by the entire education community, the Illinois Association of School Boards, the Illinois Association of School Administrators, school business officials, Illinois Association for Retarded Citizens, Illinois Association of Special Education Directors, ED-RED, the IEA, the IPT. These are groups that are concerned not only with special ed., but also with general education. Ninety-two percent, it is estimated, ninety...two percent of the school districts without this override would be prevented from raising the money necessary

HB 349  
Override

to comply with the mandates dealing with special...special education. This year alone, we have pro-rated, shortchanged special education by twenty million dollars. We did the best we could, but we're still twenty million dollars short. We need this override to help them comply with the mandates that we have imposed at the local district level. Let's vote for all the children. I urge an Aye vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1223 pass, the specific recommendations 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? Take the record. On that question, the Ayes are...the Ayes are 47, the Nays are 8, 1 voting Present. House Bill 1223 having received the required three-fifths vote is declared passed, the specific recommendations of the Governor to the contrary notwithstanding. Top of page 19, motions in writing, total vetoes. Top of page 19, motions to...to override. House Bill 349, Senator Sangmeister. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 349 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. If you recall, Senate Bill 349 was to authorize corporations to practice in small claims courts throughout the State of Illinois, which is jurisdiction up to two thousand five hundred dollars. Much to the amazement of a lot of people, the Governor vetoed that bill. There was an overwhelming

override in the House. I think there was only 2 dissenting votes over there. Nothing is changed. The bill passed by...a substantial majority here. I'm sure you've heard from many of your retail merchants that they are in favor of this bill. It is legislation that they have backed, and although I personally have heard a lot from my colleagues in the legal profession about what we ought to do with this bill, but to their feelings to the contrary, I move that we override the Governor's veto of House Bill 349.

PRESIDING OFFICER: (SENATOR DENUZIO)

Is there any discussion? Any discussion? The question is, shall House Bill 349 pass...Senator...Senator Berman. Senator Berman.

SENATOR BERMAN:

Thank you. Senator Sangmeister beat me over the head during the regular Session on this bill, but I figure he's entitled to one more try. I think this is an act in futility. The determination as to who can practice law in the courts is not up to the General Assembly. Under the separation of powers, it is vested in the Supreme Court of the State of Illinois. This bill...imposes upon the prerogatives of the separation of powers. The Supreme Court can determine who can practice law. Corporations cannot practice law even with the passage of this bill. What you're doing is inviting nonlawyers to instigate lawsuits against your constituents...against your constituents to further clog the calendars of the courts, to further impose restrictions and impositions on your citizens. I urge a No vote.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I think if we allow an individual to go ahead and sue in a small claims court up to twenty-five hundred dollars, I think



we should have...we should give the...the right...the same right to a corporation, as long as an officer, director, manager, department manager or supervisor of a corporation represents his corporation. I think we need a bill like this, because if we're going to help small businesses remain solvent, this is one of their biggest costs. And I'm in favor of overriding the veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Thank you. We're just going to ask for a roll call. But I might say to my good friend, Senator Berman, that your remarks I'm sure will be duly noted by the Supreme Court when they look at the legislative debate on this bill. I move we override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 349 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 51, the Nays are 2, none voting Present. House Bill 349 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 482, Senator Lemke. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 482 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is a bill that amends the Hemophilia Act, and it's

recommended by the Hemophilia Society and they wanted this. This...this makes the...changes the method of determining the available family...income for the program. They, themselves, in the association feel that this is important, and these are the people that use the money. They believe everybody should share in it and...because of the inflationary cost of income, and this...this bill is a...a bill to help these people, and they want it this way and I think we should go along with them. I ask to...for an override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Schaffer.

SENATOR SCHAFFER:

Well, just the same comments we made when the bill passed the Senate originally. It does, in fact, guarantee total cost for a smaller number of people unless we increase the appropriation accordingly, which we have not done. What this means is that instead of having some people saying they aren't getting paid as much as they think they ought to, we're going to have a number of people in each of our districts coming up saying to us, we've been denied any service whatsoever. This bill without additional dollars is a disservice to the very people it is intended to help.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Carroll.

SENATOR CARROLL:

...thank you, Mr. President and Ladies and Gentlemen of the Senate. I rise in support of Senator Lenke's motion. Just to identify two items; one, there is no difference between this bill if overridden and prior law. In other words, last year what we were paying is what we will pay if Senator Lenke is successful. If not, then those who are afflicted with this condition will be required to pay more, and the reason for that is my second point for joining Senator Lenke, and that was a letter I received in response to a

constituent's question from the then director of the department who agreed that it should not go up, but said, you know, I can't help it, we got to start charging more even though when you think about the type of people who are afflicted by this and the nature of the service performed, they can least afford the additional cost and the additional drain upon the family. And he said, it's just tough, we just can't allocate the money to this so we're going to have to raise the charges that they pay from last year to this year. I don't think we should be doing that, especially after the additional monies we gave to the department for service to people. I think these are the type of people we should be serving, and I would urge the override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Lemke may close.

SENATOR LEMKE:

...I think it's a good bill. I move for an override. It doesn't change the amount of money that they're giving to these people. In fact, it stays the same. I think it's a good bill. I ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 482 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 39, the Nays are 18, none voting Present. House Bill 482 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. House Bill 488, Senator Bruce. House Bill 682, Senator Bruce. House Bill...Senator Lemke, for what purpose do you arise?

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END OF REEL

REEL #2 ,

SENATOR LEMKE:

Personal privilege. I think this might be a first. When we passed this bill, the...House Bill 482, it got 39 to 18, two people absent. It got the same vote today. I think we made legislative history.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Oh, well, we should be congratulated. House Bill...801, Senator Vadalabene. House Bill 801. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 801 do pass, the veto 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. House Bill 801 permits sworn officers of the Department of Law Enforcement to engage in political activities, and it still retains the prohibition while such officers are on duty. House Bill 801 passed the...it was overridden in the House by a vote of 105 to 10, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Schuneman.

SENATOR SCHUNEMAN:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I call your attention to the fact that the State police have a long history of...of excellent service to the people of the State of Illinois, and one of the reasons they're so well accepted, I think, by all of us is the fact

that they are not involved in political activity. I don't think that our State police should be involved in political activity. The Department of Law Enforcement opposes this bill and testified against it when it was heard before the Senate Executive Committee. I think that we all stand to lose something if we pass this bill and permit our State police force to become a political arm of one party or the other party. These people should not be involved in politics. I urge you to oppose the motion to override the Governor.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator D'Arco.

SENATOR D'ARCO:

I'm just curious. Why shouldn't they be involved, and why shouldn't the individual policeman be involved in political activity? I mean, the...the Chicago policemen are involved in political activity. Did you ever hear of a Chicago fireman being involved in political activity? They got smoke coming out of their head, did you ever hear that, you know? No, seriously.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. I, too, rise in support of the motion to override. House Bill 801 does not mandate that these individuals be involved in a political effort, it allows them to. Currently, as I'm sure you're aware, if...if, in fact, they wish to exercise their right as a citizen, they cannot or they'd be subject to some disciplinary action. It simply doesn't make any sense. It doesn't mandate it; it says they're like everybody else. If they want to get involved politically, God bless them. I urge an override.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Bloom.

SENATOR BLOOM:

Well, in response. They're not like everybody else; they're a special law enforcement group, and those who don't learn from the history of this State are condemned to repeat it in a way, because as those of you who bothered to read the oral histories and...and read about what went on in prior General Assemblies, you find out that the...that the State police was...were a very, very...highly politicized organization, and when administrations changed, they swept in and they swept out. When parties changed they were swept in and swept out, and the fact of the matter is, they finally...it was finally agreed that in terms of having our State-wide police force to try and make it not as political that there was a compromise reached where they were stabilized, and basically, the headcount was fifty-fifty, and from then...thenceforth, they would not be active participants in the political process. I don't think that overriding the Governor's veto is a particularly wise policy choice. Our State police are really kind of the...the elite police force in the State, and one of the reasons is that they are highly professional and highly nonpolitical. And I think to take these kinds of steps is something that we'll regret and end up going down the same road that got us to 1940. I would urge everyone on both sides of the aisle not to support this motion to override.

PRESIDING OFFICER: (SENATOR DEMUZZIO)

Further discussion? Senator Netsch.

SENATOR NETSCH:

I had a question to ask of the sponsor of the override motion. Is it not true that the State police are subject to a merit...system? So, that the idea that we would be opening them...their selection and tenure and all to politics if we allowed them to participate actively would...at least, if the

merit system is working, would simply not be true, is that correct?

PRESIDING OFFICER: (SENATOR DENUZIO)

Sponsor indicates he will yield. Senator Vadalabene.

SENATOR VADALABENE:

I don't think they would rank, but I...I don't know off-hand, Senator Netsch.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion? Further discussion?...Senator Netsch.

SENATOR NETSCH:

Well, someone must know the answer to that question. It's...it's my impression that they are subject to a merit system, or...could I ask Senator Bloom that question? He seems to...

PRESIDING OFFICER: (SENATOR DENUZIO)

Well, Senator, as soon as we get to those who want to speak a second time. Senator Vadalabene.

SENATOR VADALABENE:

Yeah, as far as I know, Senator Netsch, as far as rank is concerned...any further than that I can't give you any answer.

PRESIDING OFFICER: (SENATOR DENUZIO)

Alright. Further discussion? Senator Bloom.

SENATOR BLOOM:

Yeah, it is a merit board, and...it is appointed through the political process. I...I don't think it takes a road map to figure out what the effect of 801 would be.

PRESIDING OFFICER: (SENATOR DENUZIO)

Further discussion?...Senator Netsch.

SENATOR NETSCH:

Well, but...that's a rather startling thing for you to be saying, Senator Bloom, because every civil service system is administered by a board which is appointed, "by the political



process," as you describe it; that is, by someone who is in politics, whether it's the Governor or someone else. What you're saying is that no merit system can be trusted for the reason that it is administered by a board of that sort, and it seems to me that is an unfair suggestion to make. If they are indeed, as I gather they are, subject to a merit system, then I think the suggestion that this bill would return us to those days before 1949 is simply not valid. It would not work that way, and all that this does, I think, is allow them to participate on their own time, as any other citizen can, in politics. And as someone who has generally been opposed to the Hatch Act in its purest form a few years ago, it seems to me that it does make sense to allow them to participate as long as they do have that protection of a merit system.

PRESIDING OFFICER: (SENATOR DENUZIO)

Alright. Further...is there further discussion? Senator Bloom, for what purpose do you arise?

SENATOR BLOOM:

Well, my name was...I was asked a question, I gave an answer, and my name was mentioned in debate. I...I'd just make this point.

PRESIDING OFFICER: (SENATOR DENUZIO)

State your point.

SENATOR BLOOM:

We have a Secretary of...of State now who had an employee who did not come into service under him who was fired for keeping a...a political party telephone line in his office at the Secretary of State's Office. Now, I guess from where you're coming from, the merit board worked quite well because what was clearly...clearly way off base by anybody's standards, the merit board said, oh, no, he should only get a thirty-day suspension for conducting party affairs out of one of the satellite offices. So, perhaps...perhaps that...that is the case. I...I would suggest again that we don't need a

road map to see where 801 leads.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yes, thank you, Mr. President and...members of the Senate. First of all, let me say this, that...as Senator Rock as indicated, this is permissive. Secondly, let me also indicate that even though these people are declared elite, so are all the policemen in the State of Illinois regardless of whether they're a State trooper or not. They are...elite class of people. State employees are subject to a merit board and...and just let me add one more thing. Last night, in the City of Alton, I saw two State troopers witnessing a Halloween parade. They had their children in their arms and they were waving and yelling just like we are. They are people just like we are, and no different than that, Senator Bloom,...they're not that special that they can't get out there and wave in the parade and...and enjoy life just like everybody else. And why you want to hamstring them is beyond me. It did pass the override 110 to...105 to 10 in the House, and I think we ought to do it here in the Senate, and I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 801 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? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 25, none voting Present. House Bill 801 having failed to receive the three-fifths vote is declared...the motion having failed to receive the three-fifths required vote is declared lost. House Bill 835, Senator Vadalabene. Mr. Secretary, read the motion...reference House bill 835.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 835 do pass, the veto 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. House Bill 835 adds a twenty-fifth year of service for the State police to receive a longevity increment.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion?

SENATOR VADALABENE:

I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? The question is, shall House Bill 835 pass...Senator...Senator Philip.

SENATOR PHILIP:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Philip.

SENATOR PHILIP:

Yeah, I'd just like to know what the additional cost would be, Senator Vadalabene.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Vadalabene.

SENATOR VADALABENE:

I understand the cost would be in excess of a half a million dollars.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Philip.

SENATOR PHILIP:

I just might remind you, we're at it again. You know, there's been some rumors floating around that maybe somebody

is going to move to extend the State Income Tax passed...when it expires. We keeping adding on and adding on. We're going to be back down here...facing some tough problems.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Vadalabene may close.

SENATOR VADALABENE:

Yeah, you're talking to the guy who votes for that State Income Tax. I appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 835 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? Senator...Senator Vadalabene. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 34, the Nays are 21, none voting Present. The motion in reference to House Bill 835 having failed to receive the required three-fifths vote is declared lost. Senator Vadalabene, for what purpose do you arise?

SENATOR VADALABENE:

Just a comment, like my seatmate, Senator Lemke. This is a historic day for the State troopers.

PRESIDING OFFICER: (SENATOR DEMUZIO)

House Bill 958, Senator Lemke. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 958 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Lemke.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Lemke.

SENATOR LEMKE:

This is the bill that came out of the Judiciary I Commit-

tee. Passed here 56 to nothing. What it does is provides that all pleadings, affidavits and other documents be filed in court may be verified by certification under penalty of...perjury a Class 3 Felony. This is recommended by the Bar Association; I...I even think by the court, and the...the Governor said that the Supreme Court could do this by rule, but I think we have the Code of Civil Procedure and I think it's our job to amend it. I think since we are doing away with this notary on license application and everything, this is really a place where you don't need a notary, because if you do file it in court and you verify it, there's the stronger sanctions against you than by having a...a phoney notary. So, I ask for...a favorable vote.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Any discussion? The question is, shall House Bill 958 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 43, the Nays are 12, 2 voting Present. House Bill 958 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 1067, Senator Sangmeister. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 1067 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. If you recall, House Bill 1067 was the Illinois Association of

Park Districts bill which would simply allow up to twenty acres to be leased at...at a price of no more than one dollar and be exempt from property taxes. The Governor vetoed that bill, stating that he thought it might provide a tax exemption for leasers who would encourage developers to lease the park district's prime land for later development. I doubt very, very much if that would ever happen. Obviously, anything can happen when you open the door; however, our park districts, and I think they've talked to you about this, certainly feel this is very important for them to promote park lands in their area, and the tax consequences to local taxing bodies is going to be insignificant. I don't want to misquote anybody but it is my understanding that the Municipal League nor the Illinois Association of School Boards is not taking a strong position one way or another, but...I've also been told that they are not opposed to this legislation, which means it can't be draining off many dollars, if any. I think we need to do this for our park districts. It was the...the original intention of the bill, and would ask that you support an override of the Governor's veto.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Any discussion? Senator Barkhausen.

SENATOR BARKHAUSEN:

Will the...sponsor yield?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Indicates he will yield. Senator Barkhausen.

SENATOR BARKHAUSEN:

Senator Sangmeister, I sympathize with the problem here and may support the bill. I wonder, though, whether this isn't a problem with a broader application throughout this State, because it...because it occurs to me that there are any...any number of potential uses that various governmental bodies might have for property that would be leased to them. For example, a municipality might lease private property, I'm

aware of one or two situations that have been brought to my attention, might lease property and use it for governmental purposes, and yet, taxes would have to be paid on this property; and I wonder whether we should be getting at this problem in a broader way by providing that where a property is leased by a governmental unit and used for governmental purposes, that it should be exempt from taxation rather than taking this sort of rifle-shot approach and...and only providing that property will be tax exempt where it's used for this narrow but laudable purpose.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, if I understand your question correctly, as you know, this is geared to park districts only. And your question, as I understand it then is, is why shouldn't...would this be opening a door that other taxing bodies are going to ask for the same prerogative, is that your question?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Barkhausen.

SENATOR BARKHAUSEN:

I don't know that I'm necessarily worried about opening the door, but I'm...I'm saying as...as a matter of fairness, if it's...if it's right for a property to be tax exempt where it's used by one governmental unit, isn't it right where it's...to exempt property from taxation where it's used by another governmental unit?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, Senator, you have to understand that this legislation is strictly steered to open-space lands, and I don't know what other taxing body would be that interested in getting open-space lands, outside of a park district.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Further discussion? Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, I think it's a good concept. We ought to help our park districts in the State of Illinois. I think the House felt the same way, for what that's worth. They overrode it with 93 votes, and I'd like to see a substantial vote of override here.

PRESIDING OFFICER: (SENATOR DEMUZIO)

The question is, shall House Bill 1067 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 57, the Nays are none, none voting Present. House Bill 1067 having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. 1156, Senator Bruce. Mr. Secretary, read the motion, please.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 1156 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Bruce.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President and members of the Senate. This is a bill we have seen before. This is the cable TV bill that relates to apportionment of easements. And, Senator Philip, if I had it within my power to bring you a little tree today, I was...I looked around to see if I could buy a tree at a nursery, but I didn't have one. I am told that the incident that occurred in your place is not typical. There are more than one hundred and fifty cable companies in the



State of Illinois and they certainly, at least a hundred and forty-nine of them, are very sorry that they backed over your little tree. I don't know about the one that actually did the damage, they may not care, but the other hundred and forty-nine wish they had never heard of you. This bill does one thing, and we...we ought to keep Senator Nedza...Senator Nedza, who helped put this together is unfortunately not here today...but it only deals with easements under the Plat Act. Now, those are easements which a property owner received absolutely no compensation. We are not talking about a landowner who gave land, Senator Jerome Joyce was concerned. This only relates to platted easements, so that when a subdivision is taken into the city, there is a utility easement platted by the developer, and it is only a platted easement. If you will take a look at the...the bill, it does not relate to compensated easements. Even within the body, however, if there was ever compensation paid to the city,...and the Municipal League supports this Act...they, in fact, could apportion the cost in the cable TV companies. You must keep in mind that once...

PRESIDING OFFICER: (SENATOR DENUZIO)

Pardon me, Senator Bruce. Could we have some order, please. Senator Bruce.

SENATOR BRUCE:

...once a telephone company or a power company gets the right and has a platted easement, there is no limitation to the number of lines that they can place on the pole. All this says is that they can apportion that easement and put one additional cable, a cable TV system, on it, that same pole, and pay the company what they had to pay to the developer or to the city. No landowner transaction probably ever occurred in a plat...we could not find one where a platted easement. It's a reasonable bill, we've worked out with the Municipal League, all the cable systems. It means

for many of us the right to have cable TV in the small communities, in areas where plats have been filed, that's all. I would ask for your favorable vote. I think the Governor misunderstood what he was doing, did not read about the plat. This is not easements granted by landowners. These are easements accepted by cities and...municipalities and villages.

PRESIDING OFFICER: (SENATOR DEMUZIO)

Is there any discussion? Senator Johns. Senator Johns.

SENATOR JOHNS:

Mr. President, I'd like to direct this to the sponsor...

PRESIDING OFFICER: (SENATOR DEMUZIO)

Sponsor indicates he will yield. Senator Johns.

SENATOR JOHNS:

What does this do for present utility companies?

PRESIDING OFFICER: (SENATOR DEMUZIO)

Senator Bruce.

SENATOR BRUCE:

Nothing at all. I mean, the problem is, as cable TV companies have been defined, they are not utilities so it does not help or hurt a presently existing utility company.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Johns.

SENATOR JOHNS:

I'm looking for a letter here from one of the cable supporters, and it says, it's a lucrative contract. If...if this is approved, it's lucrative to the special...I mean, the utilities, like CIPS, General Tel., all the telephone companies...maybe this was...anyway, it says that this is good for the utility companies because cable networks are going to have to pay them on a pole-to-pole basis. And as I understand it right now, they're totally illegal. They have...stressed these lines on utility lines and easements, and they're illegal. They've done it without our approval,

and they're going to have to pay General Tel., CIPS, any of the power companies. They're going to have to pay them, but the landowner is going to get nothing. Now, this kind of puts a connotation of a cable TV network as a semi-utility. It's a private, very profitable business, and they're utilizing things that have been given up on the basis that it was given up for the purpose of public good, a utility company. Now, this is transgressing. It's like if I let a man put a waterline through my property to supply for his lake to some subdivision, he can also put a pipeline through there for liquor if he wants to, but that's not your intention. Your intention was to give it to him for water but he wants to use the same easement for a flow of another purpose. So, I'm telling you that you're permitting something here that's illegal, and to me it's illegal to use it for another purpose than that which it was intended, that being a utility company. And in this letter today that I had from a utility...I mean, from the cable company, it said it was lucrative for the utility companies if this would pass. And I'll keep searching for that letter, and I may ask to speak a second time if nobody else speaks. Thank you, Mr. President.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Schaffer.

SENATOR SCHAFFER:

Mr. President and members of the Senate, I rise in support of this bill. I think there's probably...we are going to be seeing a fair amount of legislation over the next few years in this area. It's one of the growth industries not only in our State but in the entire country, and there's a technological revolution going on that is going to by its very nature cause some problems. I think it's fair to say that perhaps from the very early days of cable when we had people coming in from out-of-state, setting up plants, using out-of-state employees initially there were some problems,

and some of the concerns and fears that the utilities have probably at that point had some validity. Now, as the utilities have become more mature and our local firms, locally manned and managed and in some cases owned, I think we see these problems receding. From the utilities' point of view, and I think it's an important point, they do receive compensation for these easements and the use of these easements. It should also be pointed out that that compensation is then used in the judging how much they can charge us and our constituents for the fees that they charge for the use of utilities. So, it's not a net increase to them. It's a...it's a decrease in the amount of money they can charge our consumers. So, they don't really care, I don't think, from a dollar's point of view because the money is not going into their profit margin. But the simple fact is that we don't want to see separate utility plats and easements all over the place. These utilities are multiply...easements are used by several utilities right now. This is the new kid on the block, and obviously, the old kids on the block want to push him around a little bit. But in the final analysis, we're all going to win and, frankly, I think our constituents, most of them want to be...at least have the opportunity to be served by cable, and they will not look favorably on anything that prevents that from happening without legitimate cause and, frankly, I don't think the utilities have legitimate cause in this case. And if they have problems, they have the procedures and the law in the Act to see that their grievances are taken care of fairly, and I urge a favorable vote.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Lechowicz.

SENATOR LECHOWICZ:

Thank you, Mr. President and members of the Senate. Probably what the previous speaker was referring to in House Bill 1156 would be true if that was...really was contained in

the bill. But if you read the Governor's Amendatory...or Total Veto Message, he states two serious concerns about the bill. One, as far as whether the bill is constitutional, and he points out that House Bill 1156 requires that public utilities, excluding oil and gas companies, to make its easements available to cable TV franchise upon payment of agreed amounts. Although the concept of providing for cable TV easements to assure an access to services for consumers is laudable, House Bill 1156 as passed by the Legislature should be vetoed on the grounds that it's unconstitutional. Now, I'm sure that the Governor's attorneys seriously looked on the...on the constitutional question, and I have to respect their advice on this matter. Also, he points out that within the bill, it's done without the owner's consent as provided in this bill. It is the taking of property without compensation. And the third matter that he brings out in his veto message, he tells you, in addition to compensation offered under this bill may be overturned as unreasonable. The bill does not compensate at present value but merely at its original cost. Some of the public utility easements and right of ways were purchased in the year 1870's, and merely making a portion payment of...an 1870 purchase price may be taken without just compensation. I believe the Governor is absolutely correct in his veto message, and it should be sustained.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there further discussion? If not, Senator Johns, for the second time.

SENATOR JOHNS:

Now, I'd like to read the letter that I have from Illinois-Indiana Cable TV, Shirley Watson, Executive Secretary. She said, "This bill which allows cable TV the same access to public easements as those provided free to telephone, electric companies is critical to the survival of

cable TV." Alright, then she goes on to say, "As you can see, there is no basis for this veto. More importantly, without the use of these easements,...a cable TV whose operations have generated millions of dollars in revenue for counties and municipalities through the franchise fees, cannot remain in business. The defeat of this bill," now listen to this, "also...jeopardizes a lucrative form of revenue for utilities' pole attachment rents." This is from the cable TV people themselves telling that it's lucrative to the utility companies for us to permit them to use the same lines as utility companies are using. Now, you know and I know the utility companies are making more profits than they've ever made in their lives, at our expense. Now, they're going to get more money off of this cable TV thing, and you're going classify them as a semi-utility. That's the only thing that bothers me. The landowner doesn't have anything to say about it.

PRESIDING OFFICER: (SENATOR SAVICKAS)

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

SENATOR BRUCE:

Thank you, Mr. President. The reason, Senator Lechowicz, that the Governor was in error is that none of these easements under the plat add...Plat Act were paid for. And the case that he cited, the Consolidated Cable Utilities case in Aurora dealt with whether or not there was just compensation in which a contracted easement was involved. When you move into an...when you move into a subdivision in the State of Illinois, no one gave you a check for that easement behind your home for which there are telephone, electrical, gas and all other utility services. That is part of the acceptance by the city of that particular part into the city. It is platted. We had another bill which dealt with easements beyond platted areas. That bill is not before this Body. We

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are only talking about platted easements and the right to apportion the cost between utilities. And, Senator Johns, if they, in fact, do pay a utility, that will go into the utility's rate base and will reduce your electric bill. I hope you look at how that all goes around. As...if we can get these utilities in my home community, we ended up putting up cables for the telephone company, poles for the electric company and when the cable companies came along, we put up another pole. It seems to me, with all the clutter in the City of Olney, we would have been a lot wiser to have put all of those on one pole. That's what this says. They share the cost under platted areas, not in which the landowner and utility has contracted and made an easement. That is not in this bill, only platted easements. I think the Governor was in error. We ought to pass this bill. It will help the cable TV industry, and I think that's important to many of us in the State of Illinois.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1156 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 29, the Nays are 24, 1 voting Present. House Bill...House Bill 1156 having failed to...the motion...Senator Bruce moves to...the motion...having failed to receive the required three-fifths vote is declared lost. House Bill...1259, Senator Bruce. House Bill 1339, Senator Bruce. House Bill 1473, Senator Sangmeister. Read the motion, Mr. Secretary.

ACTING SECRETARY: (MR. FERNANDES)

I move that House Bill 1473 do pass, the veto of the Governor to the contrary notwithstanding. Signed, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Thank you, Mr. President and members of the Senate. If you recall, House Bill 1473 would permit corporate taxpayers to make a binding ten-year election, and I repeat, a ten-year election, to exclude payroll from the three-factor formula when computing State Income Tax liability. Any taxpayer making this election must demonstrate that payroll exceeds by two hundred and fifty percent the average of the other two factors. The thrust of this bill is to make it attractive for those with substantial payrolls to keep their jobs here in Illinois, and even expand here in Illinois. The Governor's Veto Message recites the need to protect the unitary compromise. House Bill 1473 does alleviate the tax impact of existing law but does not attack the Governor's position on unitary taxation. On the contrary, this is really an effort to reopen up that discussion...it is not an effort to reopen that discussion. The impact of House Bill 1473 is to protect jobs here in Illinois. The revenue impact is small, which the Governor even conceded in his message and even extends as a reason for his veto. In an attempt to bolster the economy, this bill should pass, and the Governor's veto should be overridden. And again, as I have stated, if you'll look at his message, the Governor is willing to concede that the tax benefit of this legislation to...to major Illinois corporations is small. We're probably talking about a couple million dollars. All of you recall, when we originally discussed this bill, we got back into the old unitary discussion. In the compromise that was reached, certain corporations were hurt and certain ones were favored. This is a small sop to those that were hurt under that compromise, and you passed it overwhelmingly the last time here. The House has vote...voted to override, and if there



are no questions, I would ask for a total override of the Governor's veto.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Is there discussion? Senator Netsch.

SENATOR NETSCH:

Thank you, Mr. President. I rise in support of the Governor's veto of this bill, and would point out again, with all due respect to the fine sponsors, that it may be the...one of the most horrible bills that has developed during the course of this Session. It is special interest legislation of the most colossal order because it is designed really for one company, Standard Oil. What it does is to permit one of those companies which decided it was not a full winner in the infamous compromise, so-called, on the combined apportionment unitary tax dispute of last Session, to come to the Legislature and say, I did not get everything I want, and so I want to rewrite the basic corporate tax law to take account of my particular concern, and that is a heavy sales quotient in the three-factor formula for determining the amount of income allocable to Illinois for purposes of our State Income Tax. If Standard Oil is successful in amending the tax laws to take account of its particular problems, and incidentally, I don't think it's going to be only Standard Oil that will benefit from this, although they were the...clearly the moving force, then next Session or next year another company is going to show up and say that another part of the three-factor formula, perhaps the property quotient, does us particular disadvantage and, therefore, we would like to eliminate it from our...from computing our tax liability. The Legislature may respond to that, and then the next year another company is going to come along and get at the third factor, and pretty soon we will have no factors left, or at least wide-open exemptions for all of the factors in determining corporate tax liability, and then pretty soon

we will have no corporate income tax, and I think that is precisely where those who are attempting these special interest rewritings of the Tax Code are headed, and very deliberately so. It may...is absolute horrible tax policy to begin to rewrite the Tax Code to take care of every single company who feels that its present application works a small hardship on them. They all had their chance to get in lots of licks when the Governor was rewriting the Legislature's action on combined apportionment. If they did not succeed then, they cannot be allowed to come back and ask us to make every accommodation so that they will have the least possible tax liability. This is going to be of benefit to Standard Oil, we were told during the regular Session at least four and a half million dollars of tax liability, and I...it was hinted to me that it might actually end up being a good deal more than that, maybe eight or nine million dollars. It is insane for us to continue to erode our tax base and rewrite the tax laws to take account of every special group that comes in and does not like the applicability. This bill should not become law, and the Governor's veto should be sustained.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I, too, speak against overriding the veto of the Governor in this case, and what the prior speaker said is absolutely right. I think Standard Oil should not be singled out to be given this great exemption because they're going to benefit a lot by it, and another thing is, to the extent the businesses with Illinois large payroll expenses would elect the exclusion that this bill would provide, the State would realize a big revenue loss, and I don't think we can afford it. And, therefore, I speak against the veto of this bill.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Mr. President and Ladies and Gentlemen of the Senate, quite frankly, I was in the process of gathering some information as to decide what position to take on this override motion, but I guess the time of my life is right now. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR SAVICKAS)

He indicates he will.

SENATOR ETHEREDGE:

Senator, what projections do you have in regard to the revenue loss that would ensue as a consequence of the override?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, we're not certain. In the Governor's own veto message, he himself stated it would be minimal or small. We're estimating between two and four million.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Alright. How many firms would be...affected by the enactment of this legislation?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Basically, and I don't think it's any secret to anybody else, it's Standard Oil Company of the State of Illinois that is...is involved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

My understanding is that it also opens the door to other firms. Do you have any information in that regard?

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Sangmeister.

SENATOR SANGMEISTER:

Well, anybody that can qualify under the terms of the bill. I...you know, Standard Oil is very interested in this. I don't know whether any other corporation is going to qualify under the terms of the bill or not. If they can, of course, they're involved.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Senator Etheredge.

SENATOR ETHEREDGE:

Then I rise in opposition to...to the bill. My...the responses to my questions leave some...some concerns unanswered in my own mind. It appears, based upon the information that I...have available, that it's not one firm that is impacted by this legislation but at least three. And it all...it...it appears to me that it would be a mistake on our part, one year after the enactment of this legislation, what we considered at the time we voted on it a model, unitary tax bill, to come in at this juncture and...and make changes which have a much broader impact than I, at least, believed them to have at the time I voted on this bill last spring. Therefore, I would urge a...a No vote on the motion to override.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. I rise in support of Senator Sangmeister's motion to override the Governor's veto. We're not losing anything. Part of the problem that Senator Buzbee and others have indicated is the problem with the amendatory veto, and we went through a whole...process here on unitary

taxation and we decided what we were going to do. Then, after we left, the Governor decided what he was going to do on unitary taxation and he changed that legislation that affected specific companies that do business within the State of Illinois. Now, it is not a question of losing two to three million dollars in the State Treasury, it's the question that some particular companies, including refineries, find their Illinois tax liability went up from three to five million dollars. They are asking by this legislation not that the State Treasury be raided but they be treated equitably with every other corporation in the State of Illinois. Now, I have two refineries in my district. Marathon Oil Company committed one hundred million dollars in improvements in Robinson, Illinois. They're here to stay. We passed a unitary tax that raised their tax liability on that company alone more than four million dollars annually. All they say is, we're not trying to get out of what we were paying Illinois every year since that refinery opened. Texaco in Lawrenceville, Illinois is saying that we are here. They have closed four refineries in the United States but not in Illinois, and they come and say, we want to pay the taxes we have always paid in Illinois, but don't send us a tax bill that is three to five million dollars more every year. That's what they're saying, do equity to us, and that's what Senator Sangmeister is asking. To those companies, if we can't recognize that, they're not going to be here. And it seems to me very reasonable in our tax policy that when we pass legislation which affects specific companies very adversely, that we can come back and make minor changes so that we don't lose any money but they just continue to pay what they have in the past, and that's all this bill does. These companies will continue to pay exactly what they were paying before the Governor got involved with his amendatory veto on unitary taxation.

PRESIDING OFFICER: (SENATOR SAVICKAS)

Further discussion? If not, Senator Sangmeister may close.

SENATOR SANGMEISTER:

Well, thank you, Senator Bruce. And may I reiterate the ground rules for a corporation to make use of this law. It...remember, it's a binding ten-year election. You don't go in at one year and out the other year. You're taking your chances when you...when you do it and you got to do it for ten years, and then anyone who makes this election, that payroll must exceed by two hundred and fifty percent the average of the other two factors. So, it's not an easy decision, and when you've made it, you're...you're stuck with it. And just let me say, I'm a little surprised to hear some of the opposition coming from the other side of the aisle where the Republicans always charge the Democrats that they never want to do anything for business in the State of Illinois. I don't know whether you got a refinery in your district or not, but whether you have or not, Standard Oil happens to be one of the largest employers in the State of Illinois. They got hurt in that last compromise. What we're doing is attempting to do something back for them. It may cost two million, it may cost four million dollars to the State of Illinois, but the size of employment that comes out of that company, I think it's high time that we understand if we're going to do something for that company, maintain and keep those jobs in the State of Illinois, we better start thinking about it. This is a small thing to do, it's a small cost to the State of Illinois to improve the employment and do something for Standard Oil Company. I move that we override the Governor's veto.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The question is, shall House Bill 1473 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 30, the Nays are 24, 1 voting Present. The motion on House Bill 1473 having failed to receive the required...three-fifths vote is declared lost. House Bill 1753, Senator Egan. Senator Bruce.

SENATOR BRUCE:

Thank you, Mr. President. Earlier in the day, we acted on an...acceptance of an amendatory veto on House Bill 1133. I've been informed by the Secretary's Office that the language that was filed with that particular acceptance was not identical in form to that of the Governor, and as the sponsor of that particular acceptance motion, I would like to move to reconsider the vote by which we accepted the amendatory veto of the Governor as to House Bill 1133, and that it be placed back on the Calendar for consideration tomorrow. Evidently, we can...the...the computer has given us the wrong language. We need to...the Secretary's Office should be congratulated, they caught it in their rewrite even as of today, and we need to reconsider it and put it back on the Calendar.

PRESIDING OFFICER: (SENATOR SAVICKAS)

The motion is, Senator Bruce having voted on the prevailing side moves to reconsider the vote by which House Bill 1133 passed, the specific recommendations of the Governor were adopted. All those in favor indicate by saying Aye. Those opposed. The motion carries. The bill is reconsidered. Now, Senator Bruce moves to have it placed on the Order of Motions. Senator Bruce now moves to Table the motion to accept the specific recommendations of the Governor. Those in favor indicate by saying Aye. Those opposed. The Ayes have it. The motion is Tabled.

PRESIDING OFFICER: (SENATOR BRUCE)

Message from the Governor.

ACTING SECRETARY: (MR. FERNANDES)

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

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

To the Honorable members of the Senate, 83rd General Assembly, I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDING OFFICER: (SENATOR BRUCE)

Executive Appointments Committee. For what purpose does Senator Rock arise? We are at the Order of...is there leave to go to the Order of Motions? Leave is granted. Senator Rock.

SENATOR ROCK:

Thank you, Mr. President and Ladies and Gentlemen. If I can have the attention of the membership, we are going to make a legitimate effort to conclude our business at six o'clock. We will keep the Session in Recess until after the Appropriations Committee meets so that we can read in the Appropriations Committee report and thus position ourselves to be in a position to conclude our business on Thursday. If we get the report read in tonight, it will appear on the Calendar tomorrow, and the appropriations people tell me they can be ready to...to go and get it back over to the House. Additionally, there are some fifteen, at least, at least fifteen bills that were sent over from the House, thought by the members of the House, or a majority of the members of the House to be of...of an emergency type. And, again, if we wish to conclude our business on Thursday, assuming that we will deal with some or all or perhaps a few of these, it would behoove us to tonight recognize the motions in writing to suspend the rules, have the bills...discharge the Rules



Committee, have the bills read a first time and placed on the Order of 2nd Reading so that we can be in a position tomorrow to address any potential amendments. As I'm sure you're aware, the House sent over to us a number of admittedly vehicles...admitted vehicles, shell bills in...in effect, and it's up to us to deal with them or not deal with them. We really are not in a position to deal with them until we see the amendments, and I, frankly, have not seen all the amendments nor has anybody else. If we can do that, we should be able to take the motions one at a time...if the sponsors wish to call them and move them out. Then there are three amendments that have already been filed with the Secretary. Senator Grothberg tells me he has one on 553. Senator Savickas has one on 1780, and there's one on...what...what's the other one, Mr. Secretary, it's a thirteen hundred number or something?

PRESIDING OFFICER: (SENATOR BRUCE)

1330.

SENATOR ROCK:

1330 has to...it's a technical change in the Banking Act. If we could get those amendments also adopted this evening and afford the membership an opportunity to review them later this evening so they'll be prepared to deal with them in the morning. Senator Egan is anxiously awaiting his copies so that he can digest them...this evening.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright.

SENATOR ROCK:

I have the first motion, by the way, and I would ask that the Secretary...it's on House Bill 1613, and I would move that the rules be suspended, the Rules Committee be discharged, that the bill be read a first time and placed on the Order of 2nd Reading. It is a bill dealing with the Illinois Housing Development Authority. It is of an...of an emergency

nature. It will hope...or result in, I hope, the issuance of an additional hundred million dollars in residential mortgage money to be available State-wide, and I would so move you, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Is there discussion? The question is, shall we suspend the rules, have the...House Bill 1613 discharged from further consideration by the Rules Committee, have the bill read a first time and placed on the Order of 2nd Reading. On the motion, those in favor say Aye. Opposed Nay. The Ayes have it. The Secretary will read the bill a first time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1613.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

What is the next motion, Mr. Secretary?

ACTING SECRETARY: (MR. FERNANDES)

I move to discharge the Rules Committee from further consideration of House Bill 1982 and the bill be placed...read a first time and placed on the Calendar on the Order of 2nd Reading...Senator Savickas.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas is recognized.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I move to adopt the motion to discharge the committee and put House Bill 1982 on the Order of 1st Reading...2nd Reading, I'm sorry. For purpose of amendment.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Alright. Is there discussion? Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The rules are suspended, the bill is discharged from the Rules

Committee and the Secretary will read the bill a first time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 1982.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Next motion...2nd reading.

ACTING SECRETARY: (MR. FERNANDES)

I move to discharge the Rules Committee from further consideration of House Bill 2300 and the bill...be read a first time and placed on the Calendar on the Order of 2nd Reading. Signed, Senator Jerome Joyce.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jerome Joyce is recognized on his motion.

SENATOR JEROME JOYCE:

Yes, Mr. President, thank you. I would so move.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. We do suspend the rules and House Bill 2300 is discharged from the Rules Committee and the bill will be read a first time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2300.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

2nd reading. Mr. Secretary, the next motion.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2308. I move to discharge the Rules Committee from further consideration of House Bill 2308, the bill be read a first time and placed on the Calendar on the Order of 2nd Reading. Signed, Senator Savickas.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas is recognized.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I move that we adopt this motion.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. Read the bill a first time, Mr. Secretary, please.

ACTING SECRETARY: (MR. FERNANDES)

Senate Bill...2308.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

2nd reading. The next motion.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2302. I move to discharge the Rules Committee from further consideration of House Bill 2302, the bill be read a first time and placed on the Calendar on the Order of 2nd Reading. Signed, Senators Luft, Zito and Welch.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Zito, will you handle this motion? Senator Zito.

SENATOR ZITO:

Thank you. House Bill 2302 permits the State to enter into a long-term lease agreement with private individuals for correctional facilities. Senator Luft asked me to do that, so we will make the motion.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. The Secretary will read the bill a first time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2302.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

2nd reading.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2305. I move to discharge the Rules Committee from further consideration of House Bill 2305, the bill be read a first time and placed on the Calendar on the Order of 2nd Reading. Signed, Senator Kelly.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Kelly is recognized.

SENATOR KELLY:

Oh, yeah, for the Rules Committee. Yes, I would like to move...make a motion to...to...to remove it.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. The Secretary will read the bill a first time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2305.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

2nd reading.

ACTING SECRETARY: (MR. FERNANDES)

House...I move to discharge the Rules Committee from further consideration of House Bill 2309, the bill be read a first time and placed on the Calendar on the Order of 2nd Reading. Signed, Senator Rock.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Rock, House Bill 2309. Alright. Senator Rock moves the adoption of the motion. On...is there discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. The Secretary shall read the bill a first time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2309.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

2nd reading.

ACTING SECRETARY: (MR. FERNANDES)

I move to discharge the Committee on Rules from further consideration of House Bill 2310, that the bill be placed on the Order of 2nd Reading. Signed, Senator D'Arco.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator D'Arco moves the adoption of the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. The Secretary shall read the bill a first time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2310.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

2nd reading.

ACTING SECRETARY: (MR. FERNANDES)

I move to discharge the Rules Committee from further consideration of House Bill 2312, the bill be read a first time and placed on the Calendar on the Order of 2nd Reading. Signed, Senator Berman.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Berman on the Floor? Senator Rock.

SENATOR ROCK:

Yes, thank you, Mr. President. Senate...I mean, House Bills 2312 and 2313, I'm sure everyone is aware, are the shell bills, the vehicles, if you will, for the proposed amendments concerning the World's Fair Authority. I...I, again, think that the Rules Committee ought to be discharged, we ought to get them out on the Calendar. There's obviously no agreement anywhere yet, but I think, again, to position

ourselves, I would make...make the appropriate motion.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. The Secretary shall read the bill a first...

ACTING SECRETARY: (MR. FERNANDES)

House Bill...

PRESIDING OFFICER: (SENATOR BRUCE)

...the two bills a first time.

ACTING SECRETARY: (MR. FERNANDES)

...House Bill 2312.

(Secretary reads title of bill)

1st reading of the bill.

House Bill 2313.

(Secretary reads title of bill).

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

2nd reading.

ACTING SECRETARY: (MR. FERNANDES)

I move to discharge the Rules Committee from further consideration of House Bill 2316, the bill be read a first time and placed on the Calendar on the Order of 2nd Reading. Signed, Senator Jones.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones is recognized.

SENATOR JONES:

Yeah, thank you, Mr. President. I so move that we adopt the motion.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Jones has moved the motion. Is there discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. The Secretary shall read the bill a first time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2316.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

2nd reading.

ACTING SECRETARY: (MR. FERNANDES)

I move to discharge the Rules Committee from further consideration of House Bill 2317, the bill be read a first time and placed on the Calendar on the Order of 2nd Reading. Signed, Senator Sangmeister.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator...Sangmeister is recognized.

SENATOR SANGMEISTER:

Thank you. This is the State-wide probation bill that apparently is going to be part of the Governor's package on prison overcrowding, and I would move that the motion be adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. The Secretary shall read the bill a first time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2317.

(Secretary reads title of bill)

1st reading of the bill.

I move to suspend Senate Rule 5 and all appropriate rules and that Senate Rules Committee be discharged from further consideration of House Bill 2318, and I further move that House Bill 2318 be read a first time and then advanced to the Order of 2nd Reading. Signed, Senator Mahar.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Mahar is recognized.

SENATOR MAHAR:

Thank you, Mr. President. I so move the motion be



adopted.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. The Secretary shall read the bill a first time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2318.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

2nd reading.

ACTING SECRETARY: (MR. FERNANDES)

I move to discharge House Bill 1644 from further consideration of the Rules Committee and that the bill be read a first time and advanced to a 2nd reading. Senator Marovitz.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Marovitz is recognized.

SENATOR MAROVITZ:

This is the legislation on nursing home reform. There has been negotiations going on quite actively for the last several weeks. If indeed we have an agreement, it will be embodied in 1644. We just want to have the bill in a posture so that if there is an agreement, we can move with the legislation.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay...whoop. Alright, there is discussion. The motion is on House Bill 1644 that we suspend the rules, discharge the Rules Committee from further consideration and have the bill placed on the Order...have the bill read a first time and placed on the Order of 2nd Reading. Discussion of the motion? Senator Schuneman.

SENATOR SCHUNEMAN:

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

Senate, if I'm correct, I believe this is the bill that would bring about some major reforms in the Nursing Home Act in Illinois. As far as I'm concerned, I think this bill should be heard in committee, should not be...we should not bypass the committee system on this matter. Speaking as a downstate legislator, I know that the last time Chicago legislators sought to amend the Nursing Home Act the impact on downstate nursing homes was very severe, and many of my nursing homes are very concerned about what's happening in this bill. I don't think that this is something that should be...in which we should bypass the committee. I, for one, want to vote against this motion.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Marovitz.

SENATOR MAROVITZ:

Well, this is...we have about forty-eight hours, perhaps, left...left in this Session. All we are doing here is putting this legislation in the posture to be heard if there is agreement by all parties. Nobody is going to come forth with a long piece of legislation. There's not going to be any war on the Senate Floor. If there's agreement by all parties, we have to have a piece of legislation that's there so that the legislation can be embodied in it and the Governor can take a look at it. That's all we're doing is putting this bill here. We will have a long discussion on the Floor, if there's agreement, and I will explain to everybody what that agreement is.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Senator Maitland.

SENATOR MAITLAND:

Well, thank you, very much, Mr. President. I, too, rise against...rise in opposition to the motion. I think it should...should be recalled by the Body that just two weeks ago, I believe it was, we passed a...a resolution in this

Body to call for a investigation of the entire nursing home industry. I think we recognize that in some parts there are some very serious problems. But the problem with this kind of legislation and what it purports to do is to...to take everybody with one sweep of the broom and consider them all in defiance of the Nursing Home Care Reform Act. This is not the case. We have many, many good nursing homes that are doing a comparable job. Something needs to be done to some of those nursing homes without question, but this is much premature. As Senator Schuneman says, the bill should be...should be debated in committee, and I rise in strong opposition to the motion.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. I...I would just alert the Body that we are...on a motion to suspend the rules and discharge. We've gone through thirteen of those already. Senator Geo-Karis.  
SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, it seems to me about a week ago there was a joint resolution proffered on the Floor which said that the investigation into the nursing home situation would be...directed to the Illinois Legislative Investigating Commission, and I think that what we have to keep in mind is...since the resolution passed by a big, overwhelming vote here, I think we should allow the Illinois Legislative Investigating Commission to go into it...into the problems of the nursing homes before we start going into the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

Further discussion? Further discussion? Senator Marovitz, you may close.

SENATOR MAROVITZ:

Well, I think we all know that as a result of some of the problems that have occurred over the last several months, summer and may occur this winter, there may be some problems

and may be some solutions to those problems forthcoming. If indeed there are solutions to those problems forthcoming, we need a...piece of legislation, a vehicle, to solve...to solve the problems. And if...if people in this Body are going to say, even if the nursing home providers, the industry, the BGA and everybody else...included agrees that there's a problem and that we have a solution to the problem, we're going to kill the vehicle and not even give you a chance. Well, let's at least put this is a posture that if everybody agrees we can help those people in the homes and not injure anybody who's in business, let's do it, and that's all we're saying. If there's not an agreement, we're never going to hear this bill.

PRESIDING OFFICER: (SENATOR BRUCE)

The question is, shall the rules be suspended, the Rules Committee discharged and House Bill 1644 be read a first time and placed on the Calendar on the Order of 2nd Reading. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Require thirty affirmative votes to suspend the rules. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 24, the Nays are 22. The motion to suspend the rules is lost. If I might have the attention of the Body,...three bills we'll be handling; House Bill 553, which is on page 4 of your Calendar; House Bill 1330 on page 4, on 3rd reading, and House Bill 1780 on page 8 of your Calendar, on postponed consideration. First matter is House Bill 553, Senator Groberg. 2nd reading...is there leave to go to the Order of 2nd Reading? Leave is granted. 2nd reading, House Bill 553. Mr. Secretary, read the bill, please.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 553.

(Secretary reads title of bill)

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Are there amendments from the Floor?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1 offered by Senator Grotberg.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Grotberg is recognized on Amendment No. 1.

SENATOR GROTBORG:

Thank you, Mr. President and fellow members. In the Villages of St. Charles, Geneva and Batavia we have a tri-city ambulance district that has been funded by a ten-cent levy of the county board, applicable only to that district that is involved and the taxpayers in that district. The amendment I am offering deletes everything after the enacting clause, by request of the three municipalities, to transfer from the county board the same identical dollars to a levy situation by their intergovernmental agreement. The Kane County Board has opted not to renew their program of offering this levy and conducting it through the county and passing it back to the municipalities. I would, therefore, move the adoption. We can debate it fully on 3rd reading. If there are no objections, I move the adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Is there discussion of the motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

3rd reading. House Bill 1330, on the Order of House Bills 3rd Reading. Is there leave to go to that order of business? Leave is granted. On page 4 of your Calendar is House Bill 1330. Senator Luft. Alright. Senator Welch asks

leave of the Senate to return House Bill 1330 to the Order of 2nd Reading for the purpose of amendment. Is there leave? Leave is granted.

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 1, by Senator Luft.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. The purpose of the amendment is a technical one in nature. It is to correct references to the Federal Income Tax law and put the Illinois tax references in compliance with the Federal tax law. This is a technical amendment, and I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 1. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is adopted. Further...further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

Back to 3rd reading. On page 8 of your Calendar, under the Order of Consideration Postponed is House Bill 1780. Is there leave to go to the Order of Consideration Postponed? Leave is granted. We are on that order of business. On page 8 is House Bill 1780. Senator Savickas is recognized for a motion.

SENATOR SAVICKAS:

Yes, Mr. President and members of the Senate, I would move that we bring House Bill 1780 back to the Order of 2nd Reading for the purpose of amendment. The amendment would be to conform to the Governor's veto suggestion and remove the Public Building Commission's...bonding authority out of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to take the bill from the Order of Consideration Postponed and be placed on the Order of 2nd Reading. Is there leave? Leave is granted. Senator Savickas, the Secretary informs me we've already adopted Amendment No. 1 under the sponsorship of Senator Nedza. It would be appropriate, if you wish, to reconsider the vote by which Amendment No. 1 was adopted and then Table that amendment so that we can send it back to the House without their having to concur in two amendments. Senator Savickas.

SENATOR SAVICKAS:

Well, Mr. President, I will accede to your suggestion and move that we reconsider the vote by which Amendment No. 1 was adopted and then move to Table it.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The vote is reconsidered. On the motion to Table, those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 1 is Tabled. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

Amendment No. 2 offered by Senator Savickas.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Savickas is recognized on Amendment No. 2.

SENATOR SAVICKAS:

Yes, Mr. President and Senator Netsch, Amendment No. 2 would accommodate the Governor's concern about the Public Building Commission's unlimited bonding authority, and it would remove that section from the bill. And I would move the adoption...it would leave the other provisions in the bill except for his concern on the unlimited bonding...power for the...Public Building Commission. I would move its adoption.

PRESIDING OFFICER: (SENATOR BRUCE)

The motion is to adopt Amendment No. 2. Discussion of

that motion? Those in favor say Aye. Opposed Nay. The Ayes have it. Amendment No. 2 is adopted. Further amendments?

ACTING SECRETARY: (MR. FERNANDES)

No further amendments.

PRESIDING OFFICER: (SENATOR BRUCE)

The bill will be returned to the Order of Consideration Postponed. (Machine cutoff)...Philip, for what purpose do you arise?

SENATOR PHILIP:

Thank you, Mr. President. I'd like the record to show that Senator Weaver is on a trade mission to Japan and Hong Kong.

PRESIDING OFFICER: (SENATOR BRUCE)

The Journal will reflect that Senator Weaver is absent...on official business. For what purpose does Senator Rock arise?

SENATOR ROCK:

Thank you. I'd also like the Journal to reflect that Senator Nedza is absent due to illness.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. The Journal will reflect his absence due to illness. Senator Philip, are you ready with your motion on 2100? Is...alright. Message 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 that the House of Representatives has passed a bill with the following title, in the passage of which I am instructed to ask concurrence of the Senate, to-wit:

House Bill 2100. Passed the House November 1, 1983 by a three-fifths vote. John P. O'Brien, Clerk of the House.

PRESIDING OFFICER: (SENATOR BRUCE)

Is there leave to go to the Order of Motions in Writing?



Leave is granted. Motions in writing.

ACTING SECRETARY: (MR. FERNANDES)

I move to discharge the Rules Committee from further consideration of House Bill 2100 and that the bill be read a first time and that it be placed on the Calendar on the Order of 2nd Reading. Signed, Senator Philip.

PRESIDING OFFICER: (SENATOR BRUCE)

Senator Philip is recognized.

SENATOR PHILIP:

Yes, this is the...the...bond authorization for corrections.

PRESIDING OFFICER: (SENATOR BRUCE)

You've heard the motion. Discussion? Those in favor say Aye. Opposed Nay. The Ayes have it. The motion prevails. The Secretary will read the bill a first time.

ACTING SECRETARY: (MR. FERNANDES)

House Bill 2100.

(Secretary reads title of bill)

1st reading of the bill.

PRESIDING OFFICER: (SENATOR BRUCE)

2nd reading. Senator Zito, for what purpose do you arise?

SENATOR ZITO:

Yes, thank you, Mr. President. I would move to accede to the House request for a Conference Committee report on Senate Bill 1002. I don't know if this is the appropriate time or not, Mr. President.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Senator Zito, the Secretary informs me that we have not gotten that Message back from the House. Evidently, we think we've got it. We'll have to check and do it tomorrow. You should...contact the House sponsor to make sure that it, in fact, is in the process from the House to us. Any further business to come before the Senate?...Senator

Rock.

SENATOR ROCK:

Just to announce that the Senate will commence business tomorrow morning at eleven o'clock sharp. The...the Block Grant Board will meet at nine, I am told. Senator Carroll indicates his committee will again meet at nine. The Senate will convene at eleven o'clock tomorrow morning.

PRESIDING OFFICER: (SENATOR BRUCE)

Alright. Announcements? Senator Carroll.

SENATOR CARROLL:

Yes, by way of clarification for the members and those others interested, Appropriations I will be meeting immediately after adjournment in Room 212 to deal with the House bills identified on the Calendar, to-wit: House Bills 2306, 2314, 2319 and 2320.

END OF REEL

REEL #3

SENATOR CARROLL: (CONT.)

The Senate is Recessing so that when we complete action on those bills that report can be read into the record to save the legislative day to put those bills in a posture for getting out...those who survive, for getting out by Thursday. We will be dealing with the subject matter of supplementals tomorrow morning at nine o'clock in Room 212. So when we complete action on those four bills today we will then terminate the meeting and then reconvene it tomorrow morning at nine in 212 for those agencies, departments, boards and commissions who had supplemental requests. Yeah, right away, we can be out in a reasonable amount of time.

PRESIDING OFFICER: (SENATOR BRUCE)

All right. Appropriations Committee immediately in Room 212. Any further announcements? Further announcements? Senator Rock moves that the Senate stand in Recess pending a committee report from the Senate Committee on Appropriations subject to the call of the Chair. And we will convene tomorrow morning, when we adjourn tonight, at 11:00 a. m. sharp. On the motion to stand in Recess, discussion? In favor say Aye. Opposed Nay. The Ayes have it. The Senate stands in Recess subject to the call of the Chair.

RECESS

AFTER RECESS

PRESIDING OFFICER: (SENATOR BRUCE)

The Senate will come to order. Committee reports.

ACTING SECRETARY: (MR. FERNANDES)

Senator Carroll, Chairman of the Committee on Appropriations I, reports House Bill 2314, 2319 and 2320 with the

recommendation the bills Do Pass. House Bill 2306 with the recommendation the bill Do Pass as Amended.

PRESIDING OFFICER: (SENATOR BRUCE)

Further...any further business to come before the Senate? Senator Rock moves that the Senate stands adjourned until the hour of eleven o'clock tomorrow. On the motion, those in favor say Aye. Those opposed Nay. The Ayes have it. The Senate stands adjourned until eleven o'clock tomorrow.